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# HISTORY OF INDIANA

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# HISTORY OF INDIANA

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# A HISTORY OF INDIANA

## FROM ITS EXPLORATION TO 1850

BY

LOGAN ESAREY, Ph.D.

*Assistant Professor of Western History in Indiana University*

*SECOND EDITION*

Vol. I

B. F. BOWEN & COMPANY
INDIANAPOLIS
1918

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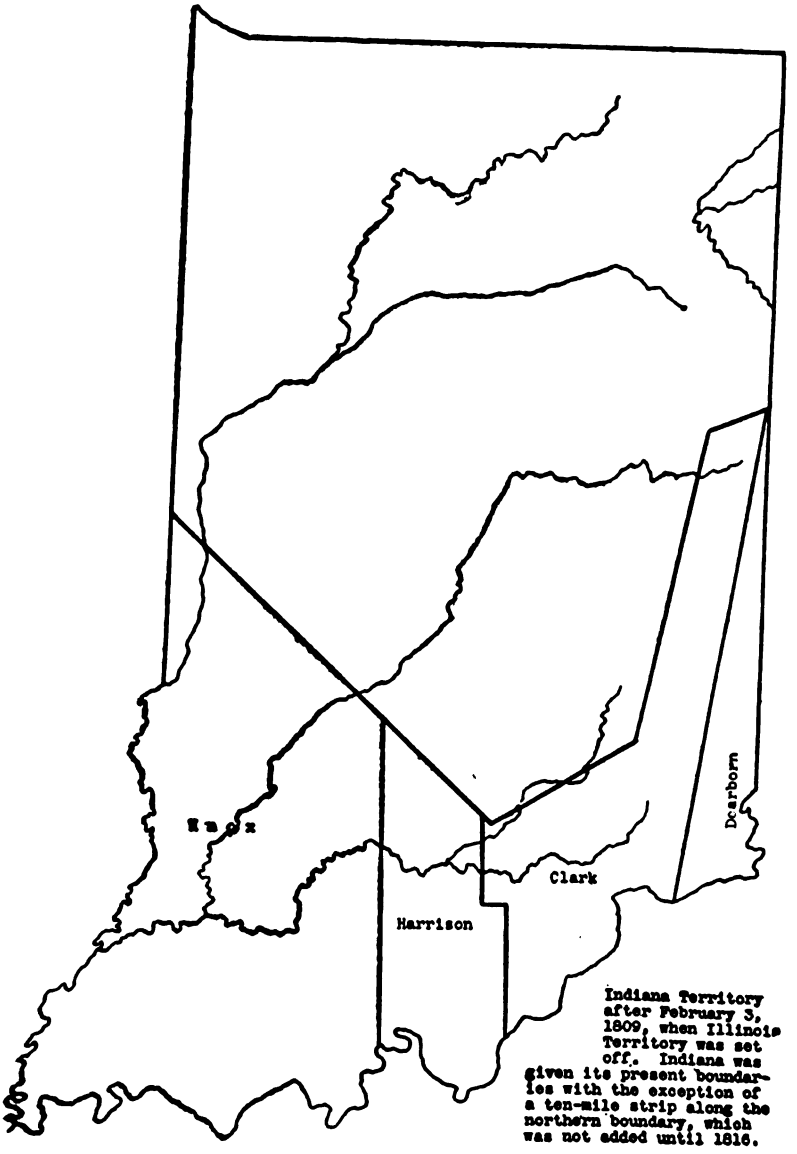


Indiana Territory after February 3, 1809, when Illinois Territory was set off. Indiana was given its present boundaries with the exception of a ten-mile strip along the northern boundary, which was not added until 1816.

INDIANA IN 1809

By Ernest V. Shockley

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# PREFACE

IN the preparation of this book several unexpected obstacles have been met. In the first place many traditional stories popularly regarded as substantial history have been found to be without historical foundation. In the second place there is no considerable collection of historical material to draw upon. Other States have published their documentary materials and thus made them available to historians, but that work remains to be done in Indiana. In the third place many of the State publications have been found, after close study, to be unreliable, others are bound without indexes, tables of contents, or even continuous pagination. In many cases it is necessary to turn through a record, page by page, to find any desired information. These conditions have made it necessary to found every material statement on a primary source. Such work is slow and very tedious.

INDIANA UNIVERSITY,
October 30, 1914.

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No substantial change has been made in the Second Edition. A score or so of minor errors have been detected and eliminated and the Bibliography and Index enlarged.

INDIANA UNIVERSITY,
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# A HISTORY OF INDIANA

## CHAPTER I

### THE FRENCH IN INDIANA, 1634-1763

### § 1 The Jesuits Plan a Nation of Christian Indians

The first account of the extensive plains and prairies south of the Great Lakes was given to the world by the Jesuit missionaries to the Huron Indians. The history of Indiana may well begin by recounting the plans of these early Jesuits for forming a Christian Indian nation around the Great Lakes.

Inhabiting the Canadian peninsula extending down between Lakes Huron and Erie and Ontario was an Indian population of from ten to twelve thousand souls. Along the southern shores of the lakes from Erie to the Mississippi river were situated numerous tribes more or less related to those in Canada; so that within easy reach of Lakes Huron, Michigan and Superior there were not fewer than twenty-five thousand Indians. The Jesuits were the most advanced thinkers of that day. What visions they had of ideal government among this unspoiled Indian folk cannot be known. At one time they spoke of commerce and the expansion of France; at another, they expressed their view that if France was to become the ruler of this vast country and its simple folk, the seeds of French culture and patriotism should be implanted in the savage breast; in other letters they indulged the true Jesuit spirit that

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the church must outweight the state in the hearts of the new people; while at still other times they lamented the internal wars of the tribesmen and breathed a hope to see their rivalries disappear in an all-consuming love of God and the king. In vision they saw the red men thoroughly Gallicized, imbued with French culture and patriotism, armed and officered by the French government, carrying the lilies of France in triumph over a continent won for civilization, the church and the king. They may have indulged the more pacific dreams of Plato or More, or the unborn longings of Rousseau; but whatever their thoughts and hopes, they perished with their authors in the Canadian wilderness.

The little band of Jesuits who accompanied the first French explorers to the regions of the upper St. Lawrence soon saw the advantages of the situation. During the winter of 1634, while the Jesuit Fathers were gathered in the residence of their superior, Father Le Jeune, at Quebec, the plans for this work were laid. Including Le Jeune, there were six of the Jesuit Fathers on the Huron mission. They were not at all discouraged by the difficulty of their undertaking, although they intended the conversion of a savage nation.[1] Le Jeune wrote to his superior in France "the harvest is plentiful and the laborers few." They were not without the benefit of experience, for the father superior himself had been in Quebec several years acquainting himself with the Indians, teaching and converting their children. He had even spent a winter with the Indians in the forest, accompanying them on their hunting trips. He knew very well what life among them meant. The terror of the work, however, only made it the more inviting.

[1] Francis Parkman, *The Jesuits in North America*, 42 *seq.* See also *Jesuit Relations*, index, "Huron Mission." *Lettres Edifiantes et Curieuses*, Ecrites par des Missionaries de la Compagnie de Jesus, Toulouse edition, 1810. (25 vols.)

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The Jesuits began at once to learn the Huron language and to collect necessary materials for the work among the Indians. The distance from Quebec to the home of the Hurons was almost a thousand miles. After a tiresome journey of a month, poling their canoes up the Ottawa river, the foremost priests reached the Huron villages on Thunder Bay. After they had spent five years in missionary work among the tribes, making regular rounds from town to town, they looked over the field as best they could and decided to make their mission home at St. Marie on the south side of Matchedash Bay. A systematic organization of the tribes was perfected, and the calendar of the saints was drawn on for new names for the Indian villages. There were St. Ignace, St. John the Baptist, St. Joseph, St. Michael, St. Marie, St. Louis and St. Paul. When in 1649 everything seemed promising of success, the Iroquois, the ancient enemies of the Hurons, attacked them with customary fury. The Huron nation was destroyed and with it went the dream of a Jesuit empire around the Great Lakes.

Jesuit priests continued to visit the western tribes for half a century, but few of them ever set foot on what is now the soil of Indiana. Within the next half century the Jesuit Fathers, Allouez, Dablon, and Marquette, established important missions around the Great Lakes. Some of these priests may have crossed from the St. Joseph river to Kankakee, in Indiana, on their way to the West, but no mission is known to have been established in Indiana at this early date.

## § 2 The Fur Traders

In the next period, 1650 to 1750, missionaries and fur-traders mingled together. It is always difficult to tell whether a post was established primarily as a mission or as a fur-trading station. The latter was not so

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much a place where furs were collected as a center from which agents visited the neighboring tribes to show the kettles, blankets, knives, and other articles of trade furnished by the French, and to encourage the Indians to carry their furs to the large posts on the lower St. Lawrence.

The annual trip of the Indians to Three Rivers, Quebec, or Montreal was full of danger. Usually two or three hundred warriors went together. They made the journey in June and July, going by way of Lake Nipissing and the Ottawa river to avoid the Iroquois tribes. Arriving near Quebec or Montreal, they landed, put up their tents, greased and painted their bodies, and assorted their goods preparatory to trading. Their goods consisted almost entirely of furs and tobacco. The second day was usually devoted to a formal council between the French officers and the chiefs. After the council, two more days were consumed in bartering. Some of the tribesmen were expert gamblers and tried their luck against the French; others, especially the Hurons, were said to have been skillful thieves. After the trading was all done, the French invited their visitors to a grand feast. Then followed a night of revelry, after which the Indians set out at dawn for their homes. In this way, no doubt, many of Indiana's native inhabitants visited the French on the lower St. Lawrence.

During the fall and winter seasons the trader spent his time, in part, among the Indians preparing for the harvest of furs in the spring. He was the leading man of the post or colony holding his commission directly from his king. He had money and influence at court. Around him was a nondescript body of hunters, soldiers, and adventurers, over whom he held nominal military power. With each band of fur gatherers there went a Jesuit, whose gentle influence welded the strong friendship between the French and Indians. It will

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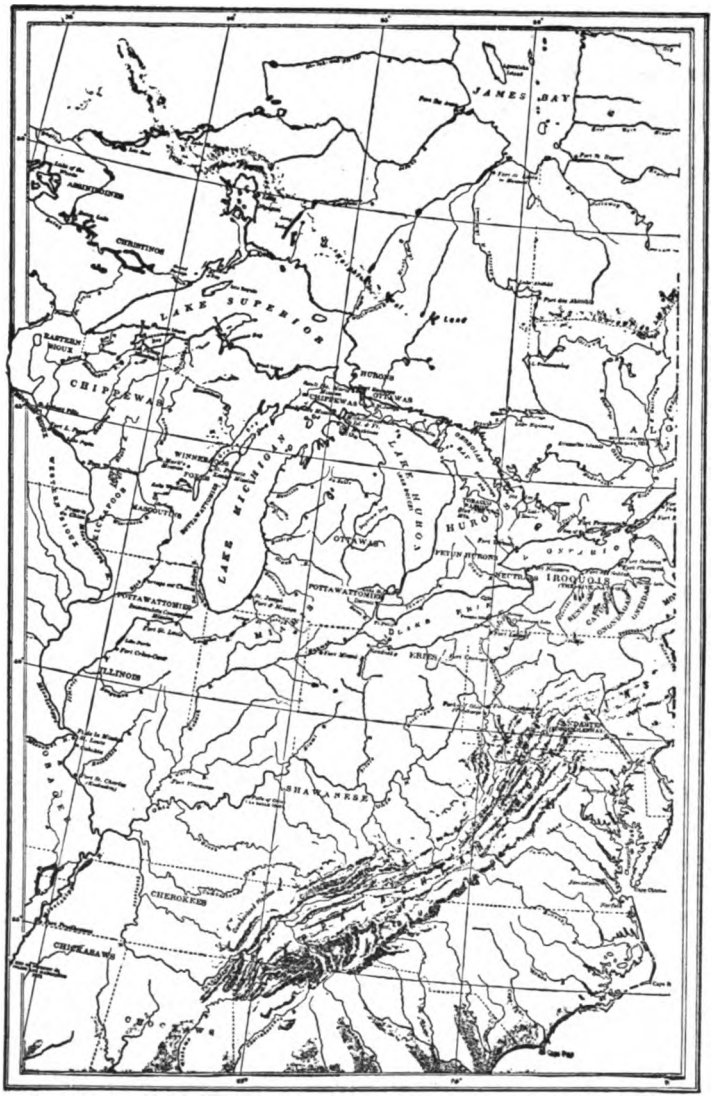


FRENCH POSTS IN THE NORTHWEST

From *Jesuit Relations*, by special permission of Burrows Brothers Company

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be enough for our purpose if we describe the labors of one of these traders.

La Salle was a member of the well-known family of Caveliers of Rouen, France, the son of a wealthy burgher merchant. He was educated by the Jesuits, who then conducted the best schools in the world. A brother of his was a Sulpician priest in Canada. With what little pocket-money he could get, La Salle sailed for Canada, reaching Quebec in 1666, whence he went on immediately to Montreal, then little more than a mission of the Sulpicians. He acquired a large tract of land at what is now Lachine, at the head of the rapids, nine miles above Montreal. This place was well situated for the fur trade.

La Salle learned from the Seneca Indians that to the west was a beautiful river flowing through the forest to join another great river which flowed far away to the south and emptied into the Vermilion Sea. It did not take him long to make up his mind that here was a chance to serve his nation and also himself. This, he thought, was the river that would lead him to the South Sea and thus open a route to India. The governor and the priests of Canada were easily won over to the enterprise, especially since La Salle undertook to pay all expenses himself.

By July 6, 1669, La Salle with twenty-four men in seven canoes was ready to start from Lachine. His men paddled the canoes up the St. Lawrence and into Lake Ontario. In thirty-five days from the time they left their camp they had reached a small bay on the south side of Lake Ontario near the mouth of the Seneca river. Here they left their boats, and went with some Seneca Indians to their village homes. The Senecas did not take kindly to La Salle's plan of going to the Ohio, and refused to show him the way. The latter went back to his canoes and continued westward on the lake to Niagara river. At an Indian village in

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this neighborhood he met a party of warriors returning with a Pottawattomie prisoner. This prisoner La Salle ransomed on his agreeing to lead the Frenchman to the Ohio. Tradition has it that the party then came on southward from Lake Erie until they reached a branch of the Ohio, which stream they descended to its mouth; thence down the Ohio as far as the Falls at Louisville. Here La Salle's men deserted him and turned back to the east, leaving their captain alone to find his way back to Canada as best he could.

Having returned to the Great Lakes, La Salle is said by Margry to have sailed westward across Lake Erie, through the Detroit river, and Lake Huron, around to the southern point of Lake Michigan, to have crossed over to the Illinois river, followed it down to the Mississippi, and to have floated far enough down the Mississippi to assure himself that it emptied into the Gulf of Mexico. That he discovered the Ohio, there is little doubt; but of his early discovery of the Mississippi we cannot be sure.[2] During the following six or seven years he does not seem to have been active. However, he never forgot the rivers he had seen or heard of and the opportunities they held for fur trade and colonization. Compared with the frozen wastes of Canada, the prairies and river bottoms of Illinois and Indiana seemed fairyland. The road from Quebec, though, was too long and dangerous, so he planned to reach the new field by way of the Mississippi. By the year 1678 everything being in readiness he started west to open up the fur trade of upper Canada. While spending the following winter at Frontenac on Lake Ontario, he built a small ship called the Griffin. With this he sailed through Lake Erie and up the Detroit river, across

[2] Winsor, *Narrative and Critical History of America*, IV, 201; Parkman, *LaSalle and the Discovery of the Great West* (Index); Oscar J. Craig, *Indiana Historical Society Publications*, II, p. 317. Margry, *Journal Général de l' Instruction Publique*, 1862.

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Lake St. Clair into Lake Huron, through the Straits of Mackinac into Lake Michigan, landing in September at Green Bay. The ship started back to Niagara. The explorers came on down to the southern shore of Lake Michigan and paddled around to the mouth of the St. Joseph river, which they called Miamis, reaching this place by November 1. Here, near the mouth of the river, they built a fort—the little Fort Miamis—while they were waiting for Lieutenant Henri de Tonty and his companions, who were coming overland.

On the third of December the party, numbering twenty-eight, started in eight canoes for the Illinois country, going by way of the Kankakee portage. They ascended the St. Joseph of the Lakes until they reached the south bend, near where the city of South Bend now stands, watching carefully for the portage path which they had been told was in that neighborhood and by which they hoped to reach the Illinois. Unfortunately while their Mohegan hunter was absent they passed this path without noticing it. While La Salle was on shore searching for it he became separated from his friends. Night came on bringing with it a snowstorm. Wrapped in their blankets the weary explorers lay down to sleep. Meanwhile their leader, hopelessly lost, found a grass bed, prepared by an Indian, and in that he passed the night. So fared these early white visitors to Indiana, the first of whom we have any clear and reliable account. At four o'clock the next day La Salle regained the river and soon found his men. The Indian guide who had meantime been hunting for the trail (which he finally found) had returned also and together they started on the portage path for the Kankakee, five miles distant. It did not take them long to reach the Kankakee, a narrow ribbon of water, flowing drowsily through the tufts of swamp grass, obstructed here and there with clusters of alder bushes and pools of still water. In this stream they launched

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their canoes and floated slowly westward toward the Illinois country. Game was scarce and provisions ran low. Finally, when almost exhausted they found a buffalo bull mired in the swamp. They killed him, dragged him out, and feasted. They then floated on down the river into the Illinois, and down that river until they came to a high cliff overlooking the left bank of the stream. Nearby was a large Indian town, but no Indians.

Here La Salle determined to build a fort and gather around him the Indian tribes of the region which now embraces the greater part of Ohio, Indiana, Illinois and Kentucky. To this place he determined to transport his goods and establish a central trading station for all this western country. He could send his furs down the Mississippi river to the Gulf, and thence to France, while his goods to be used in traffic with the Indians could be brought back up the Mississippi in the returning boats. The site chosen was the favorite dwelling place of the Illinois Indians. In the vicinity were encamped the Peoria, Miami, Piankeshaw, Mascoutin, Wea and other Indians, from far and near. There were even refugee Abenakis from the forests of Maine, and Hurons from the lands beyond the Great Lakes driven here by fear of the Iroquois. It is doubtful if a single Indian tribe at this time made its home in what is now Indiana through dread of those wide-ranging marauders, who had secured firearms from the Dutch at New York. La Salle went to work immediately to carry out his plans. He named his fort St. Louis in remembrance of his king, Louis XIV. He gathered furs during the winter, and sent them by different members of the party to Montreal. The faithless agents sold the furs, but never reported to their master. As La Salle was hastening back to Canada to ascertain the trouble, on the way he met a new commander, sent out by the

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governor of Canada to take possession of Fort St. Louis.

La Salle concealed his anger, went on to Canada, arranged matters there, but when he returned he found his fort and village completely ruined. In the autumn of 1680 a war party of Iroquois, well armed, and led by a chief in a Jesuit robe, had conquered the Illinois town. The Indians themselves were saved through the tact and bravery of Tonty, the lieutenant of La Salle, but the town was utterly destroyed; so that when La Salle returned there were only enough traces remaining to show what had been the fury of its Iroquois destroyers. Thus was dispelled the dream of making a nation of fur-gatherers out of the western Indians.

The efforts of La Salle, however, did not end with this defeat. During the year 1682-3 he was again busy among the Indians of Indiana and Illinois trying to persuade them to settle once more around his fort. He even invited Indians from across the Mississippi to join him. Indiana was almost deserted of her native population. But the failure of the plan was assured even before La Salle's death. Had it prospered, what later became the Northwest Territory would have become an immense fur-trading field with the Indians as the fur gatherers. After the downfall of La Salle there was a general migration of the tribes, due to a weakening of French influence.

### § 3 Louis XIV and the Mississippi Valley

At the opening of the eighteenth century it seemed that France had a firm grip on the north central part of what is now the United States. She held its two natural highways, the Mississippi and St. Lawrence rivers; but there was a fatal weakness both in the north and south. The French were hindered in the navigation of the Mississippi by the hostile Chicka-

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saws, who lived on the Vicksburg bluffs. On the other hand they were not able to pass the Niagara river, or the upper St. Lawrence, on account of the hostile Iroquois. Had it not been for these two tribes of Indians the history of the Northwest might have been different. Nevertheless the French king, Louis XIV, began at this time to take a great interest in the Mississippi Valley. The country was divided between the governments at New Orleans and Quebec, the dividing line running east and west through central Indiana, near Terre Haute. A French explorer named D'Iberville, under instructions from Louis XIV, tried to carry out the scheme of La Salle by concentrating the northwestern tribes on the Ohio, but this failed.

Along with this plan of D'Iberville it was decided to construct a sufficient number of forts within the northwestern country to protect it from the English traders who were rapidly becoming interested in the western fur-trade. D'Iberville himself established a post in 1699 at Biloxi, Mississippi. La Motte Cadillac fortified the post at Detroit in 1701. Forts Chartres and Kaskaskia were established over on the Mississippi in southern Illinois. Since the Indians were moving toward the east, it was planned to fortify the route from Lake Erie to the Mississippi by way of the Wabash. It was in carrying out this policy that most of the permanent posts of the Northwest were founded. These guarded the important river thoroughfares and the great portages. Around and in them the missionaries and traders made their headquarters and for this reason the Indians also frequently gathered near. The policy of the king in selling the exclusive right of the fur-trade to a single man or company had not only ruined the fur-trading business but had demoralized the traders.

In the early eighteenth century the only white people in what is now Indiana were the roving fur-traders,

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called *coureurs de bois*, and the Jesuit missionaries. The French fur-traders had become divided into two classes. Those who had no license were called *coureurs de bois*, or woods rangers, partly because they had no fixed homes. They were either petty criminals from France, or Canadians, driven from home by the severe trading laws of the time. They lived with the Indians in true Indian fashion. Their life was hard. In storm and shine they plied their paddles along the lakes or on the small streams, overhung by boughs and grapevines and obstructed by drift, rocks, or sunken logs. While they, at times, feasted on venison and turkey, their usual fare was parched corn and bear grease. Once in a long while they visited the French towns of lower Canada, spending a few weeks there in drunken revelry; but they were always in danger of being taken as outlaws. Reckless, careless, lawless, openhearted, trusty, and jovial, they had the characteristics of the modern cowboys of the plains.

The licensed traders formed a more orderly class. At Quebec and Montreal they had headquarters, from which they carried their goods to the western posts in canoes. The Indian pony, a horse from Normandy, was soon brought in for a pack horse; still later Canadian carts were used at such portages as Niagara and Ft. Wayne, but never for long journeys. Very little record was left of this period of our history. Rarely could more than one man of a party or at a post write, and all his time was taken in listing furs and keeping accounts.

## § 4 Miami Indians

Reference has been made heretofore to the Indians inhabiting the soil of what is now Indiana. It is of course impossible to gather enough data to write a satisfactory account of the Miamis or any other of the western tribes in the seventeenth century. A short

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account, however, will give some idea of the location, numbers and characteristics of these forest folk.

In 1658, Gabriel Dreuillettes, then stationed at the mission of St. Michael on the east shore of Lake Michigan, reported that the Miamis, evidently the whole nation, for they numbered according to his estimate eight thousand men or twenty-four thousand souls, were in the southwest corner of what is now the State of Michigan. This is in harmony with other reports which go to show that the valley of the St. Joseph of the Lakes was one of their favorite homes.

The Iroquois of New York seem to have invaded the western country, what is now Indiana and Illinois, about 1670 and caused a panic among the native tribes. They had succeeded in getting firearms from the Dutch at New York about 1630. During the next forty years they waged incessant and victorious war on all their neighbors, almost exterminating the New England tribes on the east, the Delawares on the south, the Eries on the west, and the Hurons on the north and northwest. With these tribes subdued they led their war parties farther to the west and attacked the Miamis and the Illinois on the prairies. For this reason, presumably, the Miamis next appear in history west of Lake Michigan.

In 1670 Claude Allouez, then stationed at Green Bay, reported a Miami village a day's journey in the interior from that mission. At the same time another band was living near the Illinois towns down on the Illinois river.

The same year, Allouez made a trip to central Wisconsin where he found what he took to be the whole Miami nation, mingling with the Foxes and the Mascoutins. The missionary, Allouez, adds significantly that they were all in terror because a war party of Iroquois had swooped into the neighborhood recently and destroyed a Fox village.

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Allouez was impressed with the general character of the Miamis. He called them gentle, affable, and sedate. Their language was in harmony with their dignity. They spoke slowly, manifesting great interest in what the Jesuit, Allouez, had to say. Two years later, 1672, when Allouez returned to this station there yet remained ninety cabins of Miamis. The Jesuit relation of the same year also stated that the village near Green Bay still remained.

By 1674 Allouez had gathered a goodly colony of them at the mission of St. Francis Xavier on Green Bay. The missionaries invariably spoke well of the Miamis, praising especially their ability as hunters, and their faithfulness.

Jean de Lamberville, writing September 20, 1682, to Count Frontenac stated that the Iroquois had at that time a large number of Miami captives whom they would soon torture unless French intervention saved them. De Lamberville also feared that an Iroquois army, twelve hundred strong, then forming, as the missionaries supposed, at the instigation of the English for an invasion of the Illinois country, would completely annihilate the Miamis and their neighbors the Siskakon and Ottawa tribes on the headwaters of the Maumee, on their return journey.

In 1680, as has been noted in the account of La Salle's exploration, the Iroquois attacked the Illinois with disastrous results to the latter. There were many traditions of this Iroquois war handed down to the missionaries and traders among the western Indians. What battles were fought, what tragedies were enacted, what heroism displayed, or what the final result was, can never now be known. One of these traditions, dear to the Miamis, was to the effect that a Miami chief having seen an army of Iroquois pass on its way to attack the Illinois at once dispatched runners to all his villages and to the villages of all his kinsmen, summon-

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ing all to meet him, prepared for desperate battle. With his tribesmen he formed an ambuscade on the banks of the Wabash and, as the Iroquois warriors returned, delirious with blood and plunder, fell upon them with such fury that only a few escaped. This battle was said to have been fought where Terre Haute now stands. The place was known among the Indians as the "Old Battle Ground."

Whether there is any truth in the tradition, or whether Miami ingenuity contrived it to hide the shame of their submission to the Iroquois, the fact is beyond question that the Miamis were back on their old hunting grounds in northeastern Indiana and western Ohio about the year 1700. By this time they had secured firearms from the French and English and it is possible that in this traditionary battle in which they handled the Iroquois roughly they fought with firearms on equal terms.[3]

Gen. William H. Harrison, who was well acquainted with the western Indians, said the Miamis occupied all of Indiana, Illinois and Wisconsin south of the Fox and Wisconsin rivers, and Ohio west of the Scioto. He thought them the most powerful confederacy of Indians in America, and did not think they had ever submitted to the Iroquois.[4]

## § 5 The First Settlement in Indiana

Around this difficult question a local literature has grown up. The difficulty seems destined to remain without final solution. As Joliet floated down the Mississippi in the summer of 1673 he noted the mouth of the Ohio river, giving to the stream the Indian name "Ouabouskigou," evidently the same name which we

[3] *Jesuit Relations*, index "Miamis"; Lewis H. Morgan, *League of the Iroquois*, 14; Winsor, *Narrative and Critical History of America*, index.

[4] William Henry Harrison, *Aborigines of the Ohio Valley*, 23.

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write "Wabash." This was, no doubt, the first sight of the mouth of the Ohio had by a civilized man. That it was then called the Wabash is significant.[5] Marquette, who, as a missionary, accompanied Joliet on this voyage of discovery was attracted by the Illinois Indians and in the autumn of 1674 returned to found a mission among them in the vicinity of the site of Chicago. He was detained by illness and did not reach the Indian village of Kaskaskia until the following spring. His health was fast failing and he started to return to St. Ignace at the outlet of Lake Michigan but died somewhere on the east shore of the lake. Effort has been made to prove that Marquette crossed by the Kankakee-St. Joseph portage on his return journey toward St. Ignace but there is no evidence on the point and it must remain for the present pure conjecture.[6]

There is good reason to believe, however, that the St. Joseph-Kankakee portage had been used before La Salle's voyage. It would have been a strange proceeding for La Salle to lay all his plans to cross by this route had he not known of its possibilities. The inference is that Claude Allouez, founder of the missions at St. Marie and Green Bay, had used this portage in his visits to the Illinois, Pottawattomie, and Miami Indians.[7]

In the fall of 1700, Gravier, then on a hunting trip with the Kaskaskia Indians, stopped at the mouth of the Ohio river. The main stream he called the Wabash. It was formed, he observed of three rivers, the Wabash proper, which came from the country of the Miamis; the Ohio, which came from the lands of the Iroquois; and the branch from the southeast, which flowed from

[5] Justin Winsor, *Narrative and Critical History of America*, IV, 178.

[6] Winsor, *Narrative and Critical History of America*, IV, 220; George A. Baker, *The St. Joseph-Kankakee Portage*, 23; John Gilmary Shea, *Discovery and Exploration of the Mississippi*, 57.

[7] Winsor, *The Mississippi Basin*, 26.

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the land of the Shawnees who traded with the English. These remarks show that the Jesuits had an accurate general idea of the Ohio Valley.[8]

The next notice of the Ohio river has nothing to do directly with the history of Indiana though it has given rise, through a misunderstanding, to a great deal of controversy. Charles Juchereau de St. Denis, in the autumn of 1702, established a trading post and tannery on the lower Ohio, perhaps where Fort Massac was later built. The purpose was to overawe the English traders on the Ohio. Father Mermet accompanied Juchereau from Kaskaskia. The site of Juchereau's post was unhealthful and it was found impossible to keep the Indians there. The commandant himself died two years later at which time the post was abandoned. It was only a temporary post and all trace of it was soon gone. The earlier historians of the West were confused by the Jesuit relations calling this "la poste sur la Vabache." It was thought to refer to the founding of "Au Poste" or Vincennes.[9] The French were driven away by the hostile Miamis.[10]

By this time a peace had been patched up between the Seneca Indians, an Iroquois tribe, and their western neighbors. The Miamis were again settled in Indiana and northwestern Ohio. The Shawnees had returned to Ohio from their fastnesses in the mountains of Kentucky and Tennessee and fur traders were visiting regularly the tribes on the Indiana streams. A keen rivalry soon sprang up between the English and Dutch on the one hand and the French on the other.

During the closing years of the seventeenth century the Miamis, Ouiatanons, and other smaller tribes began settling, or resettling, in what is now Indiana. The reasons for this are not plain. Besides the tradition

[8] Winsor, *Mississippi Basin*, 61.
[9] *The Jesuit Relations*, LXV, 268; LXVI, 39.
[10] Winsor, *The Mississippi Basin*, 70.

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concerning a defeat of the Iroquois, it may be suggested that the founding of Detroit in 1701, the presence of at least 1,000 and perhaps 2,000 armed Frenchmen in and around Detroit,[11] the effort of the English to prevent the westward forays of the Iroquois which were preventing English traders from enjoying the patronage of the northwestern Indians, and an intertribal war all influenced the Miamis and their kinsmen to return to the eastward.

At first these tribes gathered in pretty close around Detroit; but as fear of the English and Iroquois diminished they moved farther and farther south. First on the St. Joseph of the Lakes in 1702; in 1712 they were down on the upper Maumee trading secretly with the English; and later they had ventured far down on the Wabash and the Scioto. The French soon realized their mistake in bringing the Miamis so far east, where they were falling under the control of the English. The policy of France in the west during the next forty years was dominated by the purpose of preventing the English from enjoying the trade with these Indiana and Ohio tribes. The expedition of Celoron Bienville down the Ohio, and the building of Fort Duquesne on the site of Pittsburg were parts of the same general program. Sieur de Vincennes had been sent by Frontenac, governor general of Canada, as early as 1697 to command a post among the Miamis. The exact location of this post does not appear but most probably it was the one established by La Salle near the mouth of the St. Joseph in southwestern Michigan.

In 1704 Vaudreuil, who succeeded Frontenac in 1698, again sent Vincennes on a mission to the Miamis to prevent them, if possible, from attacking the Iroquois. The governor added that Captain Vincennes was "much beloved" by these Indians. He took with

[11] *Documents Relating to the Colonial History of New York*, IV, 701.

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him some goods, six men, and two canoes. Several times, on later occasions, Vaudreuil sent Vincennes on missions to the Miamis. Finally in his communication of October 28, 1719, he stated that the Sieur de Vincennes had died at his post among the Miamis, where the city of Fort Wayne, Indiana, now stands.

It seems that the Indians were on the point of migrating with Vincennes to the northern St. Joseph river but upon his death they refused to leave what they called their ancestral town of Kekionga.

In 1672 the Wea Indians were in central Wisconsin, gathered with their kinsmen around the mission of St. Jaques on the Fox river, under the care of Claude Allouez. They were at this time a small band.[12] By 1710 they had returned to northern Indiana and were under the control of missionaries from Detroit.[13] In an official report on the Indians of the Lake-Erie country, dated 1718, the agent said five villages of Ouiatanons or Weas dwelt on the Wabash. In language, customs, and dress they resembled the Miamis. They had a "fort" situated on a high hill from which one could see countless buffalos grazing on the prairie. These Indians had earned an enviable reputation among the traders for their cleanliness. They allowed no dirt or filth to remain on the floor of their "fort" which they kept "sanded like the Tuilleries." They had, at that time, over two leagues of cleared land where they raised corn, pumpkins and melons. The men numbered one thousand or twelve hundred, wore very little clothing, and played and danced incessantly.[14] To keep the Iroquois out the French constructed a stockade at Ouiatanon on the north bank of the Wabash as early as 1720. This was on the main western trail from Post Miami at the site of Fort Wayne.

[12] *Jesuit Relations*, LVIII, 23, 293.

[13] *Jesuit Relations*, LXIX, 193.

[14] *Documents Relating to the Colonial History of New York*, IX, 891.

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Governor Vaudreuil was very apprehensive lest all the Miamis go to New York to trade, as eight or ten canoes had done the previous summer. In order to forestall this movement, the governor had decided to send Sieur Dubuisson to take charge of the post at Ouiatanon. This was in the autumn of 1719. He wrote as if the post had already been established.[15]

The purpose of Dubuisson was to get the confidence of the Indians as soon as possible and lead them to the St. Joseph river, away from the Maumee-Wabash route, which seems to have been much frequented at that early day by English traders. On the St. Joseph of the Lakes the Indians would be under the control of the garrison and traders of Detroit.[16]

Dubuisson remained in command but a short time until he was relieved by Francois Morgane de Vincennes, thought to be the founder of Post Vincennes. He seems to have been a nephew of the Sieur de Vincennes who died at the post where Fort Wayne now stands. It is probable that Vincennes remained in command at Ouiatanon until he was sent down the river to take charge of the post that has since borne his name. Ouiatanon remained an occupied post till its destruction by the Indians in Pontiac's War.[17]

In his report to the Lords of Trade May 24, 1765, Sir William Johnson, the British agent for the northern Indians, stated that several French families of the worst sort lived at the Miami (Fort Wayne) and several at Ouiatanon, and, in short, at all the places where

[15] Winsor, *The Mississippi Basin*, 286.

[16] *Documents Relating to the Colonial History of New York*, IX, 894.

[17] For reference to the history of Ouiatanon see *Early Western Travels*, index. The best discussions of these early posts on the Wabash are by J. P. Dunn, *Indiana*, 41 *seq.*; *The Mission to the Ouabache;* Oscar J. Craig, *Ouiatanon;* and Edward Mallet, *Sieur de Vincennes, etc. Ind. Hist. Soc. Pub.*, III, 2.

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they formerly had had posts or trading houses.[18] The same person writing in 1767, after Pontiac's war, complained that Ouiatanon had not been re-established as he had recommended. Its convenient location in the neighborhood of several tribes, he observed, would make it a most convenient post for the traders.[19]

The best that can be done now in the matter of the first permanent settlement of Indiana is to give briefly the testimony of the Jesuit relations and other fugitive references of the French officers and traders. A more careful searching of the French records may yet bring to light satisfactory evidence as to the time and manner of its establishment. Such discovery is problematical and, if made, will be in the nature of an accident.

Nicholas Ignace de Beaubois took charge of the parish of Kaskaskia, July, 1720. September 15, following, the Company of the Indies filed a petition with the government asking that a post be established on the Wabash. It seems, however, that no action was taken for Charlevoix, writing November 8, 1721, after visiting the Illinois country, points out the great advantage a post on the Wabash would have. La Harpe, in 1724, and Boisbriant, the commandant at Chartres, wrote in 1725 as if no post had yet been established. It is not improbable, however, that a missionary was stationed there.

In the accounts of the colony of Louisiana for 1726 is the following item: "At the Wabash, when it is established, one priest, 600 livres; for a servant 185 livres." De Beaubois, then at Chartres, was especially urgent that a post be established in the direction of the Ohio, since all reports indicated that English traders

[18] *Documents Relating to the Colonial History of the State of New York*, VII, 716.

[19] *Ibid*, 973.

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were making deep inroads on the Indian trade in that quarter.

A list of the missionaries supported by the Company of the Indies, written by some clerk of the Company, or perhaps a monk, and dated November 21, 1728, included Pere d'Outrelay at the "Ouabache." A long struggle had been going on between the Capuchins and the Jesuits for the control of the missionary posts in Louisiana. Pere de Beaubois, who was no doubt the promoter of the mission at Vincennes, had in 1728 just been displaced by Pere Petit. Most of Beaubois' papers are, unfortunately, lost.

A letter from the Company of the Indies to the governor of Louisiana, M. Perier, September 30, 1726, directed the latter to furnish eight or ten soldiers to Sieur de Vincennes in order to found a post on the lower Wabash. Sieur de Vincennes was then at Ouiatanon, the post among the Weas.

Etienne d'Outrelay, a Jesuit who spent twenty years in the Mississippi Valley, returning to France in 1747, is mentioned as having been at the fort on the Wabash in 1728.[20]

A memorandum by M. de St. Denis, commandant at Nachitoches, dated November 30, 1731, stated that the Wabash post had always been neglected, that it guarded the only avenue by which the English could attack Louisiana, and that he would favor a station there with 400 men rather than one with 300, as seems to have been intended. The commandant, he added, should receive 800 livres. This latter allowance Maurepas, the royal minister, had also fixed upon.

Finally the letters of M. de Vincennes to the governor, dated March 7, 1733, and March 21, 1733, leave no doubt that a permanent post had been established before that date, at a point eighty leagues up the Wabash from its mouth. The date of the founding of the

[20] *Jesuit Relations*, LXVII, 342, note.

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post, he left in obscurity. The position, he wrote, was well suited to the establishment of a large post, and he would have established one had he had the necessary troops. There had never been so great a need of troops during the three years of his stay at the post as there was at that time. The Illinois and the Miami were growing insolent, due no doubt to the contact with the English. The fortifications had been begun three years previous but nothing much had been done toward their completion. There was a stockade with two houses enclosed. The immediate construction of a guard house and barracks for the soldiers was recommended. Without more troops it would be impossible for him to remain there longer. The post, in his opinion, needed thirty men and an officer. The garrison consisted of ten men, and the "fort" was not large enough to accommodate even that number. There were evidently some French settlers around the post, since in the second letter the writer said the Chickasaws had, during the previous fall, killed six Frenchmen who lived at the Wabash.

That the dominating motive in the establishment of the post was the protection of the fur trade is evident from the tone of the correspondence. "It is possible," observed Sieur de Vincennes, "to send out from this post every year about 30,000 skins. That, Monsieur, is all the skins that can be secured for the present." The commandant was accustomed to borrow large sums of money from the voyageurs who frequented the place. There is evidence to show that quite a large number of these independent traders were then on the Wabash and its branches and doubtless they had other stockade posts in what is now Indiana.[21]

[21] The evidence concerning the founding of Vincennes is well summed up in Vol. III, *Publications of the Indiana Historical Society*, 255, *seq.* See also J. P. Dunn, *Indiana*, ch. II; *Jesuit Relations*, index. Copies of the letters of Vincennes are in the library of Vincennes University.

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Louis Vivier was stationed there as a Jesuit missionary, 1754-1756.[22] Francais Philibert Watrin, writing from Paris, September 3, 1764, said the "post called Vincennes or Saint Ange, from the names of the officers who commanded there," was about eighty leagues from Kaskaskia and about seventy leagues up the Wabash from its mouth. He says nothing about its founding or its founders, unless we should infer that since he named two commanders he would have named them had there been others. Winsor thought the post Vincennes was known among the fur traders as early as 1722.[23] This is a fair inference.

These Indiana posts, excepting Vincennes, never came to be real settlements. For a while Ouiatanon remained the most important fur-trading and missionary post on the Wabash; but its importance diminished after eight or ten years. The old French post at Kekionga, or as it was usually called Fort Miami, if any fort was ever built, disappeared entirely, later, but Vincennes maintained its existence unbroken.

The dates of the first settlement of these places will, from the nature of the case, always remain uncertain. Each marks the location of an important Indian village. Fur traders made these places their temporary headquarters doubtless as early as 1700. Missionaries visited them as early or perhaps earlier. We do not even have the record of the first military stations established here. In 1736, a man by the name of Francois Morgane Sieur de Vincennes was stationed at the Piankeshaw village, Chipkawke, with a considerable body of French troops. From the name of the officer comes the name of the city of Vincennes. This commandant was killed by the Chickasaws and his place taken by St. Ange. Whether Vincennes was the founder of the post, or even its first commandant,

[22] *Jesuit Relations*, LXIX, 290, note.
[23] *The Mississippi Basin*, 118.

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no one at this time can say with certainty. There is a tradition that trading stations were established about this time at Vallonia, Tassinong and other places in Indiana, but no direct evidence remains.

## § 6 The French Settlers

After the failure of La Salle, the king of France granted control of all the commerce of Louisiana to one of his courtiers named Anthony Crozat. This grant included the Illinois and Wabash countries. Crozat had expected to find rich mines of gold and silver, but disappointed in this he surrendered his gift to the crown in 1717. That same year a monopoly of the trade was granted to the Mississippi Company. This company in turn was superseded by the Western Company, also called the Company of the Indies. From 1720 to 1731 the latter company was in exclusive control of the Illinois and Indiana country. Its policy was not to encourage settlements, and it retained complete feudal rights over all who settled in its territory. The company built Ft. Chartres, near Kaskaskia, and there made its headquarters.

When the Company of the Indies surrendered its charter April 10, 1732, the king of France resumed direct control. From this period dates the actual settlements in both Indiana and Illinois. Before this everything had looked toward the fur trade. Now there were settlements made by cultivators of the soil. It is in connection with the carrying out of this policy that the first authentic mention is made of the settlement at Vincennes. As stated above, the Chickasaw Indians made traffic on the Mississippi extremely dangerous. In the year 1736, D'Artiguiette was instructed to take what force he had in Illinois and join De Vincennes, who was to come down the Wabash from his station where Vincennes now stands. The French, who numbered three or four hundred, were

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defeated by the hostile Chickasaws. De Vincennes was among the slain. After this the records are silent as to Fort Vincennes for twelve years. From then, 1749, the records in the parish church are complete.

The French settlers borrowed their habits of dress from the Indian. They wore little else than the hunting shirt, leggins, and moccasins, in colder weather a blanket or a buffalo robe being wrapped around the body. There were several styles of house building. The earliest house was built by setting in a square four forked posts and putting cross-poles from one to the other and making the walls and roof with bark or brush or anything else that was handy and would keep out wind and rain. A somewhat better house was built by the planters around Vincennes, which consisted of a double row of puncheons planted upright in the ground, the space between being filled with mortar, and whitewashed within and without. In still more pretentious houses, built in later years at the "Old Post," there were four or five rooms with an open porch on the side and an attic sleepingroom reached by a ladder. These rooms were warmed by a fireplace. Outside the house was a bake oven in the old French style[24] Their woolly ponies were sheltered by a "pole stable" which could be removed when the accumulations of manure made it necessary.

The priests in Canada made many complaints about the lawlessness of the *coureurs de bois* or bush-lopers. The latter were no better, perhaps no worse, than the ordinary Indians with whom they lived and whose customs they adopted. After the transfer of the government of the Illinois and Wabash country from Canada to New Orleans a better class of French people came to the posts. Still there were never any French settlers at Ft. Wayne and Ouiatanon except fur traders. The

[24] For a picture of a bake oven see *Harper's Magazine*, CXVI, 440.

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latter, now no longer outlaws, could carry on a regular commerce with the larger towns.

The Indians granted to the French at Vincennes a tract of land extending from Point Coupee below the present site of Merom to the mouth of White river and extending back on either side of the Wabash. This was held jointly and on this extensive domain the villagers laid off an ample commons of 5,000 acres which they enclosed with pickets. On this commons each villager had one or more strips for cultivation. These strips were separated only by balks or turn-rows. Each villager was compelled by the commandant or syndic to keep up his part of the fence. At times, it seems, this enclosure was used as a pasture—perhaps after harvest. Judge Jacob Burnet tells how difficult it was for the Northwest Territorial Legislature in 1799 to regulate this commons, and a new law by the Indiana Territorial Legislature a few years later indicates that the early law was not entirely satisfactory. This commons lay southeast of the village of Vincennes, beginning about where the present courthouse stands.

The village assembly usually determined all matters pertaining to the commons, or the common field. After church on Sunday the assembly would meet in the churchyard and determine a day for planting, or a day for harvest. The syndic presided over these parish meetings unless the matter under consideration pertained to the church, when the priest took charge. Some farmers held their land as tenants direct from the crown; others of the wealthier class held large seigniories under feudal conditions. Nearly all these settlers on the Wabash were either commoners or tenants of the crown.[25]

The farming in the Vincennes neighborhood was

[25] Clarence E. Carter, *Great Britain and the Illinois Country*, 10; Jacob Burnet, *Notes on the Settlement of the Northwest Territory*, 307.

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primitive. A large plow with wooden mold-board and flexible beam was in common use. It was mounted on two wheels, the large one to run in the furrow, and a small one on the land. It was drawn usually by oxen as was later the custom among the English settlers. Ordinarily a cart, a two-wheeled affair without any tires, was to be found on each farm. On Sunday it served for a carriage in which the planter and his family rode to the parish church at Vincennes. The farm crops consisted of wheat and corn and various other grains, besides which there was always a liberal supply of tobacco, for all the members of the family smoked or used snuff. A great deal of wine and spruce beer was made for home use. The inhabitants were a jovial, careless, pious, unpolitical class of people, who took the world easy and so the world took them.

After a year of bountiful harvest they spent the winter in social festivities such as dancing, feasting, and card playing. Even billiards were popular at this early date on the Wabash. They knew and cared little for the outside world. They sold beef, pork, and corn at New Orleans for what few manufactured goods they received. Their military commandant looked after all this world's affairs, and the parish priest attended to the affairs of the next world for them. Since there were no hotels, everybody's house was open to the stranger. A keen social rivalry existed and almost everyone knew his place. The invasion of Clark in 1779 put an end to this old-fashioned society. Little trace of the old settlers remains. In the schools in and about Vincennes, one may notice here and there the raven hair and the black sparkling eyes that mark a descendant of these subjects of Louis le Grande.

With the passing of power to the English in 1763 a great number of the French inhabitants crossed the Mississippi into Spanish territory. This migration continued till after 1800, by which time most of the

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original French settlers had left the Illinois country. Their descendants may still be found on the lower Mississippi.[26]

The more energetic Frenchmen were engaged in the fur trade. From the incomplete list, licensed by Governor Harrison in 1801, an idea may be had of the number, location and wide range of the early traders. All these had been trading previously, but the law then required that they take out a license. At Fort Wayne Joseph Richardville was one of the earliest traders. His son became a chief of the Miami tribe there. Peter la Fontaine, Baubien, and James Lasselle all traded at Fort Wayne before the Revolution. Lasselle held command of the post for some time during the Revolution till La Balme drove him away in 1780. Mr. Todd was licensed to trade at Blue River, Washington county; Mr. Dagenet at Terre Haute; Mr. Simon at Muncietown; Mr. Henry Mayraus at Terre Haute; Le Claire on the Vermilion river; Francis Ḇoneus on the Kankakee; Thomas Lusby with the Kickapoos; Francis Lafantazii at the Kickapoo town on Pine creek; Louis Bouri on the Elkhart; Hyacinth Lasselle on the Mississinewa; Benart Besayou on lower Eel creek; Conner Brothers on White river; Baptist Bino on the Tippecanoe; Baptist Toupin with the Kickapoos; Francis Milleni on Vermilion; Charles Johnson at Terre Haute; Peter Thorn along the Ohio; Michael Brouillet on Vermilion river; Louis Severs on the Little Wabash; Joseph Dumay on White river; and Jonnet Pillet on White river. Some of them married Indian women and their children became warriors.

The materials of the fur trade on the part of the Indians consisted entirely of furs and hides. During the French period traps were used almost exclusively in catching the wild animals. The French government never allowed its traders, in the early days, to supply

[26] Carter, *Great Britain and the Illinois Country*, 29.

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the Indians with guns. It was not till near the close of the eighteenth century that these western tribes had them. The supply then came largely from the English.

In exchange the traders gave coarse cloths, blue or scarlet paints, knives, hatchets, traps, kettles, hoes, blankets and, in ever increasing amounts, whiskey. The French had to buy these goods from a single company and pay high prices. So, when the English came, they could pay for furs almost double what the French had been offering. For instance, the French sold rifle balls at the rate of $4.00 per hundred, the English at $2.00. This caused great dissatisfaction and worry to the Indians. They liked the Frenchmen and hated the haughty Englishman; but their beaver skins would bring double value from the Englishman. There soon came to be two parties among the Wabash Indians, the one favoring the French and the other the English. The parties came to open war in 1751, and the English traders and their Indian partisans were driven out.

The French government in America depended almost absolutely on the fur trade. For that reason the trade was well guarded. The Indian country was divided into districts comparing approximately with the divisions agreed upon by the tribes themselves. To each district or tribe certain traders were given the exclusive right to trade and no other allowed to encroach. Each trader was encouraged to establish a post as his headquarters and encourage the Indians to come there to trade. The trader lived among the tribesmen, studied their wants and catered to their humor. The missionary was always present as a check on the trader.[27]

[27] Carter, *Great Britain and the Illinois Country*, 84. The best accounts of the lives and customs of these old French pioneers are published in the *Michigan Pioneer Collection* (39 Vols.). They have no systematic arrangement but a good index enables one to find any subject readily.

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## CHAPTER II

### THE ENGLISH PERIOD, 1763-1778

### § 7 THE ENGLISH CONQUEST AND GOVERNMENT

THE war between the English and French for the possession of the Ohio Valley was essentially a commercial struggle for the fur trade. The French interpreted the Treaty of Aix la Chapelle to confirm them in the ownership of the valley. The Marquis de la Galissoniere, the governor of Canada, began at once, after receiving news of the treaty, to secure the French interests.[1]

The English as early as 1720 were jealous of the encroachments of the French along the Ohio river. Gov. William Burnett of New York advised the Lords of Trade, November 20, 1720, to forestall them or the English would not only lose the trade of the country but the valley itself.[2]

Early in 1749 the French governor sent Captain Bienville de Celoron with a strong party of French and Indians on a mission to the Ohio. At Logstown, about twenty miles below the present site of Pittsburg, Bienville gathered the Indians together and instructed them as to the power and rights of the French. On his way down the Ohio he picked up a number of English traders and at an old Shawnee village on the Ohio released them with instructions to return beyond the

[1] For a good account of the Ohio Valley and its strategic importance see the Governor's report for 1750, *Documents Relating to the Colonial History of New York*, X, 229.

[2] *Documents Relating to the Colonial History of New York*, V, 576.

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mountains. At the same time he addressed notes to Gov. James Hamilton at Philadelphia and Gov. George Clinton at New York advising them of the trespasses of the traders and threatening to treat all such persons in the future as interlopers. This valiant Knight of the Order of St. Louis then proceeded on down the Ohio burying on its banks leaden plates bearing a proclamation of ownership by King Louis XV.

Hardly had Celoron passed on his way down the Ohio river when George Croghan, an agent of Governor Hamilton of Pennsylvania, appeared among the Indians and contradicted what the Frenchman had proclaimed.[3]

The correspondence of the French and English officers and their agents is full of hints of intrigue, murder, and bloody foray, incited by partisan leaders or abetted by promises of reward. No Indian chief was safe from the murderous weapons of his own tribesmen. Every village had its English and its French faction. A part of the hunters of each tribe traded with the English, a part with the French.

Governor Galissoniere recommended to Count Maurepas that he send 300 or 400 good soldiers to the posts on the Wabash in 1748. Ensign Douville of Post Miamis, who was conducting a party of Miamis under Chiefs Coldfoot and Hedgehog down to Montreal, was stopped at Niagara by a war party of Mohawks. Douville stated that the English had offered a snug reward to La Demoiselle, a Miami chief on the Scioto, if he would bring Douville's head to the English governor.

Ensign Chevalier de La Peyrode, the commandant at Ouiatanon, started in August, 1748, with a large party of Weas on a visit to Montreal but was driven back by the Hurons, then friendly to the English.

[3] The best source for this struggle is the *Documents Relating to the Colonial History of New York*, index; and Croghan's Journal, in *Early Western Travels*, I, 45.

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Sieur Laperriere Marin, commandant among the Miamis at St. Joseph, also stated that English emissaries had been among the Miamis and Pottawattomies of his post poisoning their minds against the French. Scores of traders lost their lives in trying to carry on trade under such conditions. French partisans in the paint and feathers of warriors led the savages in long expeditions against the English frontiers.

In 1750 Col. William Johnson, Indian agent for Great Britain, complained to the Lords of Trade that the French were encouraging the Lake Indians to make war on the English allies on the Ohio. In May, 1753, Commander Holland at Oswego, New York, reported that thirty French canoes, part of a force said to number 6,000 under Monsieur Marin, had passed that place on their way to the Ohio. Close after them came the report that six Englishmen and fourteen friendly Indians had been killed on the Ohio. These instances are enough to show the conditions that prevailed in the western country from 1748 to the breaking out of war in 1755.

The church records of Vincennes during this period commence with the marriage record of a Canadian Frenchman and a French-Indian girl, written by the officiating priest, Sebastian Louis Meurin. There is little historical interest in this early record of baptisms, marriages and burials. Father Meurin was succeeded by Louis Vivier, also a Jesuit, who remained until 1756; when he was succeeded by Julian Duvernay, the last of the Jesuits, who remained until France gave up the territory in 1763.

The Illinois mission, of which Vincennes was a part, was badly neglected during these and succeeding years. John Baptist Lamorinie was stationed at Post St. Joseph as missionary to the Miamis. Pierre du Jaunay was transferred from the Miamis to Ouiatanon about 1745. He returned to Quebec about 1754. He

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seems to have been the only missionary who ever resided at Ouiatanon. Marchand de Ligneris was in command of the garrison at Ouiatanon at the same time.[4]

The echoes of the seven years of French and Indian warfare were scarcely heard in this land of savages, French peasants, and *coureurs de bois*. Many of the Miamis helped Beaujeu in the destruction of Braddock, and doubtless many young warriors joined in the raids on the Virginia and Pennsylvania frontier. Although the war did not reach the inhabitants of this remote wilderness the peace at the close of the war roused them to fury.

By the surrender of Montreal, 1760, the French gave up this western territory to the English. The French garrisons were to be withdrawn and the posts delivered over to the English as soon as possible. The duty of carrying out this decree fell on Col. Robert Rogers; for that purpose he left Montreal, September 13, 1760, with about 200 men in boats. These were the famous Rogers Rangers, the terror of the Indians on the New England border. No body of English troops having ever penetrated so far west, their coming excited alarm among the savages. Pontiac met Rogers on the south shore of Lake Erie, where after some hesitation the Indian chief gave his permission for the English to pass on to Detroit. On November 29, 1760, the lilies of France ceased to wave over Detroit. Detachments of the Sixtieth English Regiment came and took possession of Ouiatanon and Post Miami, in what is now Indiana. The other western posts on the Great Lakes were not occupied till the following spring. All told, there were about six hundred English soldiers stationed west of Pennsylvania.[5]

[4] Rev. Herman Alerding, *The Diocese of Vincennes*, 58; for the reports themselves see *Jesuit Relations*.

[5] Avery, *A History of the United States*, IV, 354; Parkman, *The Conspiracy of Pontiac*.

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## § 8 Pontiac's War

The English soldiers, and especially the English traders, were extremely offensive to the Indians. The soldiers refused to mingle with the Indians, refused to sell them guns and ammunition, and refused to allow them to loaf inside the forts. The English fur traders, taken by and large, were the worst class of men in America. They had the characteristic commercial disregard of sentiment. To them the Indian was a very inferior being, to be cheated, outraged, robbed or murdered as best suited their money-making purposes. The traders had no regard for the helpless settlers on the frontier so long as they themselves escaped with plunder and life. If it were necessary to go further to explain this sudden uprising of the Indians in Pontiac's war, one might point out the long and intimate friendship of the French traders with the Indians, the natural result of which was to prejudice the Indians against the English.

The news of the treaty, ceding all the western country to the English without so much as consulting the Indians, brought all this sullen hatred to a head. The Senecas in the east and the Ottowa-Ojibwa-Pottawattomie confederacy in the west, organized the attack. Their plan, briefly, was to capture Fort Pitt and Detroit, together with the smaller posts, after which they would throw all their force against the English frontier and drive the white people into the sea. Pontiac, the Ottawa chief, was the soul of the league and one of the greatest of American Indians.[6]

[6] "This Indian has a more extensive power than ever was known among that people; for every chief used to command his own tribe; but eighteen nations, by French intrigue had been brought to unite, and choose this man for commander, after the English had conquered Canada; having been taught to believe that, aided by France, they might make a vigorous push and drive us out of America." Thomas Morris's Journal in *Early Western Travels*, I, 305.

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Early on the morning of May 7, 1763, a party of Indians in canoes crossed from the Canadian shore to Detroit and stalked with apparent unconcern up to the palisades of the fort. It was the first act in a bloody siege that lasted throughout the summer. First, the garrison of Detroit was forced to see the dead bodies of a relief party, 60 or 80 in number, gashed and mutilated with knife and fire, float past the fort. Hardly had this horror ended when a long line of naked Wyandotte warriors, painted black, paraded in front of the fort, each decorated with a ghastly scalp. It was the news from the Sandusky, Ohio, garrison, butchered May 16. A month later, June 15, a band of Pottawattomies came to the fort bringing Ensign Schlosser, who, with fourteen men, had been stationed at Fort St. Joseph, at the mouth of the river St. Joseph. The same tale of treachery and slaughter was repeated. On June 18, news was brought by a Jesuit priest that the Chippewas and Ojibways had surprised the post at Michillimacinac, slain its garrison, and captured its commander, Capt. George Etherington. Soon after this came a letter from Lieut. Edward Jenkins of Ouiatanon. On the morning of June 1, the lieutenant had been invited to their hut by some friendly Indians. The Kickapoos, Mascoutins, Piankeshaws, and Weas, together with a few French families, then lived near this post. As soon as Jenkins had reached the place, the Indians seized and bound him as they had done several of his soldiers. They had then forced him to surrender the rest of the garrison. Here, however, the rule had been broken and the prisoners had been placed in the house of a French trader, where they were well cared for. It seems, however, that this leniency was a second thought, due perhaps to the French traders, Lorain and Maisonirtle; for the Indians later made known a plan which they had formed to kill all the garrison the previous night. Either

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the order for attack did not reach the Indians in time, having received the wampum belt after dark the night before, or the French traders prevented the bloodshed. Jenkins remained a prisoner at Ouiatanon till after August 1, not knowing what hour he might be put to death. This post was destroyed by the Indians and never rebuilt.[7]

Next came the report from Fort Miami, at the junction of the St. Joseph and the St. Mary, where the city of Fort Wayne now stands. Its commander, Ensign James Holmes, had been put on his guard; but on May 27, 1763, he was betrayed to a neighboring house by a young squaw, who lived with him, and shot down from ambush by two Indians. The girl's story was that in the wigwam a short distance from the fort was a sick woman, her mother, who needed his attention. The officer put on his coat and accompanied the girl across the meadow to the hut. Just as they were entering the door two Indians stepped from behind the wigwam and shot the ensign dead. His head was cut off and carried back to the fort. The sergeant who heard the shots, on running outside the gate to see what had happened, was seized and bound. When a Canadian named Godfrey then summoned the frightened soldiers to surrender in order to save their lives, they hastened to obey. Godfrey was a notorious French partisan. He had left Detroit with other Canadians soon after the seige began on the plea that he knew a French officer whom he could induce to come to Detroit and persuade Pontiac to quit the war. On the Maumee he had robbed an English trader named John Welsh whom he sent to Detroit to be put to death. Godfrey was later captured and sentenced to death but pardoned on condition of his accompany-

[7] Parkman, *The Conspiracy of Pontiac*, index. Many letters and other documents pertaining to this period are printed in the *Michigan Pioneer Collections* (see index).

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ing Thomas Morris as an interpreter. All but one of the prisoners of Fort Miami were finally killed, many being tortured. When Morris visited the place in September of the following year one of them was still a prisoner, held for sacrifice. He was later adopted as a son by a squaw whose son was killed in the war.

The post at Vincennes had never been turned over to the English. History has left us only meager accounts of what befell the English traders caught up in this whirlwind of savage anger. Our sympathy goes out to the British soldiers, only a handful in number, stationed one thousand miles away from any point of supply or reinforcement, and wholly unfitted by their training for such service.[8]

The fury of Pontiac's army wore itself out against the palisades of Detroit. Col. John Bradstreet with English reinforcements reached the fort in August, 1764. A soldier, Capt. Thomas Morris, sent by Bradstreet on a mission up the Maumee to where Pontiac had withdrawn his baffled host, saw on every hand evidences of the ravages made by the Indians. One Indian boasted that he was riding Braddock's horse, a large dapple iron gray. Another offered Morris a volume of Shakespeare for some gunpowder. All the tribesmen were in bad humor. Morris found Fort Miami abandoned except for some renegade French traders who made the deserted barracks their home. A Kickapoo village occupied the meadow around the post. The main Miami village was across the St. Joseph river, northeast of the fort. Ottawa, Wea, Mascoutin and Delaware Indians mingled in the neighborhood in inextricable confusion. He also found

[8] Parkman, *The Conspiracy of Pontiac*, I, 278; *Early Western Travels*, I, 312; *Doc. Rel. to the Col. Hist. of N. Y.*, VII, 685. The latter gives a good account of the expeditions of Bradstreet and Bouquet, written by Wm. Johnson.

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the Delaware, Shawnee and Wyandotte Indians in little humor for peace. He had a letter to St. Ange at Fort Chartres, but his friends advised him that he would certainly be killed at Ouiatanon. He entrusted his letter to St. Vincent, a Frenchman, then fighting with the Indians. After being twice tied to the stake for torture, he escaped to Detroit. The double-dealing of the tribes and the hostility of the French were apparent. While making pretenses of friendship to Bradstreet at Sandusky they were sending war belts to the Miamis, Kickapoos and Illinois. But the Indians soon had a different man to deal with.[9]

The marauding along the borders of Pennsylvania and Virginia continued. It was thought that fully three hundred whites were in captivity among the savages of Ohio and Indiana. In order to liberate these and punish the captors, Col. Henry Bouquet gathered a force at Fort Pitt in the fall of 1764. Besides the British regulars he had nearly 1,000 Pennsylvanians and 200 Virginia rangers. A rapid march brought him to the banks of the Muskingum in the heart of the Indian country. He summoned the Shawnee and Wyandotte warriors to his camp, ordered them to leave their chiefs with him as hostages, go back at once and bring all white people among them, whether captive or not, to him. Thoroughly alarmed, the Indians obeyed. A large number of men and women had accompanied Colonel Bouquet in the hope of finding their long-lost relatives. The scene that followed the return of the Indians, bringing in 206 prisoners, was one of the most tragic ever witnessed on the American frontier. As families were reunited, as wife and children were restored to husband and father, as mothers found their babes after years of captivity, and as others learned of the torture and death of their friends, their

[9] *Early Western Travels*, I, 295 *seq.* The full Journal of Capt. Thomas Morris is printed. It is the best source on this event.

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grief or joy was crushing. The humiliation of the Indian warriors was complete, even the sulky Delawares from the Scioto and White rivers bringing in their captives.[10]

## § 9 The Journey of George Croghan

After an expedition had failed to reach the Illinois country by way of the Mississippi river in 1764, Gen. Thomas Gage, who commanded in America, determined to send a party to that region by way of Fort Pitt. For this purpose he chose the able Indian agent, George Croghan, deputy for Sir William Johnson, and the most experienced Indian agent on the western frontier.[11] With a small party in two boats, he left Fort Pitt May 15, 1765, and in twenty-two days reached the mouth of the Wabash, noting carefully in his journal the appearance of the country and the attractions for settlers. The expedition was five days in passing down the Ohio river along the southern boundary of Indiana. The first night camp was made at the Falls. The river was very low and Croghan observed that the Falls were little more than a rapid, which could be passed easily at ordinary stages of water. At the mouth of the Wabash he found a breastwork built, as he supposed, by the Indians. The Wabash, he noted, ran through the finest countries of the world. Hemp, he observed, might be raised in immense quantities. All the bottoms were covered with red and white mulberry trees. Having dropped down the river a few miles lower to dispatch couriers to St. Ange at Chartres, the party was attacked about daybreak by a band of Kickapoos and Mascoutins. Two white men and

[10] *Bouquet's Expedition Against the Ohio Indians* (Cincinnati, 1868). This is documentary.

[11] Croghan's Journal is printed in *Documents Relating to the Colonial History of New York*, VII, 779-788; Hildreth, *Pioneer History of the Ohio Valley;* Butler's *History of Kentucky*, appendix; *Early Western Travels*, I, 126.

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three Indians were killed at the first fire, all the rest being wounded but two white men and one Indian. At first the attacking party was mistaken for southern Indians, but as soon as the Shawnee guide recognized them he censured them boldly, telling them that all the northern Indians would band together to avenge the insult. The red warriors hurried their prisoners through the forest to Vincennes, where they arrived June 15.

"On my arrival," wrote Croghan, "I found a village of about eighty or ninety French families settled on the east side of the river, being one of the finest situations that can be found. The country is level and clear and the soil very rich, producing wheat and tobacco. I think the tobacco better than that in Virginia. The French inhabitants hereabouts are an idle, lazy people, a parcel of renegados from Canada and much worse than the Indians. As the savages took from me a considerable quantity of gold and silver the French traders extorted from them $45 for a pound of Vermilion. Here is likewise a village of Piankeshaws, who were much displeased with the party that took me, telling them they had started a war for which their women and children would have reason to cry. * * * Post Vincent is a place of great consequence for trade, being a fine hunting country all along the Wabash and too far for the Indians who reside hereabouts to go either to the Illinois or elsewhere to fetch their necessaries."

Croghan dispatched letters to St. Ange, commander at Fort Chartres, but he was not permitted to write to the English commander at Pittsburgh. He was convinced that the French at Vincennes were encouraging the Indians in their hostility to the English. The Kickapoos, it seems, delivered some scalps and a portion of the booty taken from Croghan's party to the French and received the promised reward. The Piankeshaws

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refused to have anything to do with the Indians who had captured Croghan.

Croghan left Vincennes June 17, on horseback, and reached Ouiatanon June 23, 1765. His way led through what is now Sullivan and Vigo counties, where he noted the great fertility of the meadows—the "Piankeshaw Hunting Grounds." On these prairies he saw bear, deer, and buffaloes in countless numbers.

Ouiatanon was on the Wabash near where Lafayette now stands. There were fourteen French families in the stockade fort, which stood on the north side of the river. The Kickapoo and Mascoutin warriors who had captured Croghan lived in nearby villages. The older members of the Kickapoos censured the young bucks, but laid the blame on the French, who, they said, had planned the outrage. Croghan remarked on this occasion: "The French have a great influence over these Indians and never fail in telling them many lies to the prejudice of his Majesty's interests."[12] The country roundabout was particularly fine. The post had always been a very considerable trading place; for the great plenty of furs had originally induced its establishment. Croghan said it was the first post built on the Wabash. As usual he remarked the resources of the country; across the river from the fort ran a high bank in which were several outcropping veins of coal; on top of the bluff were large meadows cleared for several miles. These had been called barren savannas, but at the time they were covered with wild hemp ten feet high.

Croghan remained at Ouiatanon from June 23 to July 25, meeting deputations from all the surrounding tribes and making treaties of peace. July 4 to 8 he was in conference with the Weas, Piankeshaws of the Vermilion towns, Kickapoos and Mascoutins. July 11 came the Illinois with Francois Maisonville as their

[12] *Early Western Travels*, I, 144.

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interpreter. On the 18th Croghan started to the Mississippi to meet Pontiac; but that chieftain with a large band of Senecas, Delawares and Shawnees was already near Ouiatanon and Croghan returned for a conference. Everything was arranged satisfactorily with them and treaties of peace confirmed.

After settling everything with the natives, and being freed from his captors, Croghan left Ouiatanon July 25, 1765, and proceeded up the Wabash to Eel river. Six miles up this stream he found a small Twightwee or Miami village pleasantly located on the river bank—the home of the Eel River Miamis. For four days he traveled up Eel river, then crossed over to the portage path from the Wabash to the Maumee. On August 1 he reached the Miami village on the St. Joseph about one-fourth of a mile up from its mouth. The Indians came out to meet him, greeting him kindly, for with most of the Twightwee or Miami warriors Croghan was personally acquainted. An old English flag which he had given them at Fort Pitt was hoisted. The navigation, he observed, from here to Ouiatanon was very difficult in low water, but easy in times of freshet. Under the latter conditions the trip could be made in three days. On the east side of the St. Joseph river, near its mouth, stood a little tumbledown stockade—all that then remained of Post Miami. The Indian village consisted of forty or fifty cabins, together with nine or ten houses occupied by French traders. Croghan again described the French as a lazy, indolent, mischief-breeding pack. They were refugees from Detroit, who had aided the Indians in the late uprising and later, fearing punishment, had withdrawn to Post Miami. Croghan urged that they be removed where they would have no influence over the Indians. He was impressed with the natural resources and beauty of the country around Post Miami. After the usual conferences, and after the Indians had delivered up their

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prisoners, Croghan set out for Detroit August 6, having spent about three months among the inhabitants of the Wabash Valley.[13]

## § 10 England Takes Possession and Organizes the Country

St. Ange had been governing the Illinois Country since the departure of Neyon de Villiers in 1764. He was surrounded by a lawless crowd of thieving savages and conspiring French. He had orders to surrender the post to the English as soon as they should appear.

In January, 1764, Maj. Arthur Loftus set out from Mobile with 351 men from the Twenty-second Regiment, sixty of whom were to occupy Fort Massac and the remainder were to garrison Kaskaskia and Fort Chartres. This expedition was defeated and turned back by the Tonica Indians at Fort Adams, two hundred and forty miles above New Orleans. It was the encouragement from this defeat that impelled Pontiac to refuse the offers of Thomas Morris at Fort Miami in the autumn of 1764.[14] In February, 1765, John Ross, an English officer, arrived at Fort Chartres from Mobile, having come directly north to the Ohio river and thence down to the Illinois Country. He was disappointed in the temper of the Indians and was fortunate in escaping to New Orleans.

Meanwhile the English at Fort Pitt were waiting eagerly to hear of the results of Croghan's expedition. As soon as the latter was sure of his position at Ouiatanon, he sent a messenger to Fort Pitt. Capt. Thomas Sterling was ready and at once set out from Fort Pitt to Fort Chartres with 125 Scotch Highlanders of the Forty-second Regiment, arriving October

[13] *Early Western Travels*, I, 150.

[14] Carter, *The Illinois Country*, 86; the final authority on this period is Alvord and Carter's *The Critical Period*, 1763-1765, and *The New Regime*, 1765-1767. These are documentary.

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9, 1765. St. Ange, the French commander, withdrew to the west side of the Mississippi, leaving all the northwest country in the hands of the English. The land of Indiana was under the jurisdiction of Captain Sterling.

Fort Chartres was the largest of the French inland strongholds; it was a fortress, the others mere posts. It was designed to be the headquarters for the French civil and military command of the upper valley. It was built almost two miles from the banks of the Mississippi on the road from Kaskaskia to Cahokia, about twenty miles from the latter. The construction was begun in 1718 by Boisbriant, governor of Illinois, and finished in two or three years. It was built of stone with bastions and towers, donjon and magazine. Its portholes and heavy cannon were out of harmony with its surroundings, and as if resenting the intended domination the river set towards it, and seven years after the English took possession, undermined its walls.[15] A massive ruin still marks its location.

There seemed no hurry to take possession of the Wabash posts. Not till 1777 was there any English authority on Indiana soil, and the story of Indiana, meanwhile, is inseparably woven into the larger politics of the Northwest.

England found herself in possession of more territory at the close of the French and Indian War than her king and ministry could well govern. Their vast conquests in America were divided by the Proclamation of October 7, 1763, into four provinces: Quebec, East Florida, West Florida and Grenada. The territory north of the Ohio was not included in any one of these. An order of the king forbade the colonial governors to sell lands to anyone beyond the headwaters of the rivers flowing into the Atlantic. This order came

[15] Carter, *The Illinois Country*, index; Winsor, *Narrative and Critical History*, VI, 702.

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THE BRITISH NORTHWEST

From the British Official Charts, by Thomas Jeffery, 1776

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to be known as the "Proclamation of 1763." Until the king's further pleasure was known the lands of the West were to be used, as formerly, as a hunting ground for the Indians.

This was only a temporary disposition of the vast royal domain. There was no manifest intention on the part of the ministry to set the designated region aside permanently as a home for the Indians. Such a policy would have been in direct violation of English precedents. On the other hand, the brutal character of the traders and their capacity for stirring up the savages to war made some such effort necessary. All Indian traders were required by the proclamation to be licensed and to give security for their good behavior. The purchase of land from the Indians on private account was strictly forbidden. All interlopers or trespassers were ordered to be seized and sent out of the country. The policy was timely, though some of its details could not be carried out.[16]

Croghan's description of the fertile lands northwest of the Ohio roused the cupidity of the land-hungry English.[17] One of the earliest of a series of giant land speculations was planned by Sir William Johnson, Indian agent for America, and Governor William Franklin of New Jersey, a son of Benjamin Franklin. Governor Franklin wrote his father in London and the latter joined eagerly. General Gage and some wealthy Philadelphia merchants also entered into the scheme. They petitioned the king for a grant of 63,000,000 acres lying between Lake Erie and the Mississippi and the Fox and Wisconsin rivers and the Ohio and Wabash. This settlement, they urged, would secure the country

[16] The document is given, together with a map, in the *Annual Register*, 1763, 208; *Gentleman's Magazine*, 1763, 477; Alvord, "Genesis of the Proclamation of 1763," in *Michigan Pioneer and Historical Collections*, XXXVI, 25.

[17] The English magazines like the *Gentleman's* and the *Annual Register* give clear indications of this widespread interest.

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against a French uprising and also protect the western frontier from the Indians. Shelburne urged it upon the Board of Trade—emphasizing the necessity of a farming population to support the garrisons and at the same time to furnish a wider market for British manufacturers. The Lords of Trade refused to grant the favor. The royal governors in America generally opposed it for the reason that it would only serve to draw men from the older colonies, thus weakening the already distressed colonial governments.

A second attempt was made by a company headed by the London banker, Thomas Walpole, and called the Walpole Company. Franklin was interested in this as were George Washington, Governor Thomas Pownall of Massachusetts, Governor Robert Dinwiddie of Virginia and Col. George Mercer, then in London. The Tory colonial minister, Lord Hillsborough, had other plans, and not even the prophetic eloquence of Edmund Burke or the solid sense of Benjamin Franklin could shake the stubborn minister. One of the tracts of lands comprehended in this prospective grant of 2,400,000 acres was called "Indiana." In 1769 Dr. Thomas Lee of Virginia and thirty-two other Virginians, the great patriots of the Revolution, including the Washingtons, together with two Londoners, organized the Mississippi Land Company. The hope of the company was a grant of 2,500,000 acres of western lands around the mouths of the Ohio and Wabash rivers. The whole scheme ended in the pigeon holes of the Board of Trade.

The Illinois Land Company through its agent, William Murray, a trader in the Illinois Country, acquired an Indian claim to two vast tracts bordering on the Mississippi and embracing the soil of half the present State of Illinois. The cession was obtained from ten Kaskaskia chieftains at a council held at Kaskaskia July 5, 1773, while Hugh Lord was the commandant. Two years later Louis Viviat, another trader of the

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Illinois Country, bought for the Wabash Land Company a tract of land lying on both banks of the Wabash. This purchase comprehended about 60,000 square miles of territory. The price paid in each case was a few trinkets of trifling value.

Several other land companies were organized during the period to exploit the fertile western lands. This speculative fever has never left the American people in their dealings with the public lands. Nor must we forget in this connection that there was truth in the beautiful periods of Burke, who saw in vision the western waves of migration lapping over the crests of the Alleghanies and trickling down the valleys beyond, oblivious of kings and proclamations.[18] Thousands of hunters, traders and squatters crossed the Appalachians in defiance of law and made their homes in the Indian country. It was soon realized that the Proclamation of 1763 kept out only the best persons.

Following the advice of Lord Hillsborough, who, in turn, followed Col. Guy Carleton, commander at Quebec, and his Swiss lieutenant, Cramahe, the king decided on the "Quebec Act" as the one measure that would settle amicably all these American troubles. It would, he thought, pacify the French, who were the only legitimate settlers of the Northwest, by giving them their French religion and civil law. It would give a government to the western country by placing it under the jurisdiction of the Province of Quebec. It would also put an end to land speculations encouraged by royal governors. It was enacted in 1774. It did pacify Canada, and it gave a legality to government, but it utterly failed to stop western migration.

[18] George Henry Alden, *New Governments West of the Alleghanies Before* 1780, in *Bulletins of University of Wisconsin*, II, gives a good discussion of these land companies. See his references; also Carter, *The Illinois Country*, ch. 6. The petition of the Mississippi Company is given in the appendix to *The Illinois Country*, 165, *seq.*

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It effectually destroyed the love of the leading Virginians for their king. More than any other act of the king, the "Quebec Act" prepared the Old Dominion for rebellion. By its terms all the lands north of the Ohio, east of the Mississippi and south of the Great Lakes were attached to Quebec.[19]

During Pontiac's war the English were unable to relieve the French commanders in the Northwest. Neyon de Villiers was at Chartres and the veteran, St. Ange, at Vincennes. Villiers left his post early in 1764 for New Orleans and with him went a large number of settlers. He ordered St. Ange to come and take charge of the fortress of Chartres. When the latter left Vincennes he turned the government of the post over to Deroite de Richardville. After taking possession of Chartres, the English were in no hurry to come to Vincennes, and nothing but the exigencies of another war brought it a garrison. The stockade posts at Vincennes, Ouiatanon and Post Miami rotted down and disappeared. A more forlorn settlement could not have been found in America than that on the soil of Indiana just preceding the Revolution. Authority at Vincennes finally settled down to the notary, Raumer, who ran away with the records. To add to their misery the settlers received orders from General Gage, toward the close of 1772, to vacate the territory; for it had been temporarily set aside by the Proclamation of 1763 as a hunting ground for the Indians. It seemed the settlement would disappear, and the valley of the Wabash revert entirely to its ancient savagery. The fur trade became more and more lawless and unprofitable. Fortunately the order of General Gage was not approved by the king and the inhabitants were not molested.

[19] See *Statutes at Large*, Fourteenth George III, ch. 3. Most of the discussions in American history seem to have been by men who have not read the statute. There is no ground in the law for anticipating the storm of opposition aroused in America.

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By the "Quebec Act" Vincennes came under the jurisdiction of the commander of Detroit. Accordingly, early in 1777—there seemed no great hurry—Lieutenant Governor Edward Abbott was sent by Governor Hamilton from Detroit to rebuild the stockades on the Wabash, and organize a band of French *chasseurs* to attack the back settlements of Virginia. Abbott found large numbers of Indians, whom he encouraged in their murderous raids on the western frontier; but the French had no stomachs to join England against the Americans. Abbott built a stockade fort at Vincennes and mounted some cannons, sent over by Rocheblave from Fort Gage, formerly Chartres, at Kaskaskia. He remained and governed the people till January 30, 1778, when he returned to Canada, leaving Vincennes to fall without resistance into the hands of Virginia.

The chief business of the country worth mentioning was the fur trade. Under the provisions of the Proclamation of 1763 only English traders were allowed in the field. Each trader was required to have a license from a colonial governor. A superintendent of Indian affairs for the country north of the Ohio had charge. The commissary at each post was a petty justice with jurisdiction over the petty quarrels arising among the traders. Effort was made to center the trade as much as possible around the garrison post. At each post was a commissary, an interpreter and a smith. The commissary and superintendent had power to establish a uniform price for all goods used in the trade. For all their plans and pains the fur trade was a lawless business engaged in by the English, French and Spanish, with and without license. Liquor was carried into the western forests by every avenue. Indians were made drunk, maltreated and left to take vengeance on helpless pioneer families.[20]

[20] Carter, *Great Britain and the Illinois Country*, ch. V.

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## CHAPTER III

### THE CONQUEST BY VIRGINIA, 1778-1779

### § 11 THE AMERICAN REVOLUTION AND THE INDIANS

SCARCELY had the American Revolution broken out when the English began to utilize the warlike energy of the Indians against their rebellious colonists. King George had, in 1763 by a royal proclamation, set aside temporarily the vast valleys west of the mountains as a hunting ground for his red children. He had ordered the colonists to stay on the eastern side of the mountains. But as soon as the French and Indian War had ended, bands of settlers began to locate in the valleys of the west-ward flowing rivers. In a vain attempt to stay this tide of migration the Indians had sustained the crushing defeat at Point Pleasant, Virginia, 1774, and the loss in that battle of some of their bravest chiefs.

Early in the Revolutionary War the Tories of western New York had united with the British agents in raising the powerful Iroquois. The terrible devastation of the Wyoming and Cherry Valleys followed. That western Indians engaged in these raids is shown by the fate of Frances Slocum, who was captured by the Miamis and brought to their home on the Mississinewa.[1] The destruction of the Iroquois Confederacy by Gen. John Sullivan in 1779 drove the wreck of that nation, together with the Delaware refugees, back on the Miami tribes, with whom they later joined in war against the Americans.

[1] Jacob Platt Dunn, *True Indian Stories*, 213.

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Col. Henry Hamilton was the English commander at Detroit. On him falls the disgrace of arousing the western Indians against Virginia. He advised Lord George Germaine, the English war minister, to furnish arms and ammunition as well as suitable leaders for the Indians, and directed them to make a diversion on the Virginia and Pennsylvania frontiers. The Indians were placed in command of such partisan outlaws as Capt. Henry Bird and Simon Girty, and then ordered to do no violence. They were directed to watch the Ohio river especially and destroy all Americans attempting to pass. Hamilton reported that the Indians in his district, Detroit, had brought in 107 prisoners and 110 scalps during the year 1778. These were paid for by the commander as if they had been so many beaver skins. The leading tribe engaged in these depredations was the Miami, whose home was on the soil of Indiana. They had no reason to join in the contest between England and her colonies. There had been war along the border, but it had been led by his Majesty the King's officers, and the resentment of the Indians should have fallen as quickly on the British as the Americans. The ruin of the northwestern tribes may be traced back to this unnatural policy of the British in 1776.

## § 12 The Capture of Kaskaskia

Among the American frontiersmen there was only one sentiment toward the Indians. That was retaliation. For awhile their vengeance fell on the Indians alone. Such men as Daniel Boone, Simon Kenton, Lewis Wetzel and Adam Poe hunted the Indians as they hunted the wild animals. Meanwhile dangers, instead of lessening, multiplied on the frontier. It is to the credit of George Rogers Clark that he not only recognized the English at the western posts, as the source

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of the devastation on the frontiers, but he laid plans to capture them.

Clark was one of the early settlers of Kentucky. When a county government was organized by the Kentuckians, he first represented it in the Virginia legislature. It was not primarily as a legislator that he visited the government of Virginia in the closing days of 1777. December 10 of that year he laid before Gov. Patrick Henry of Virginia his plan for conquering the English posts. Virginia was using her means and men freely in supporting Washington in the struggle around New York, but Governor Henry could not fail to catch the spirit of Clark and sympathize with his hopes. After calling into consultation three of the leading men of the state, he gave Clark permission to enroll seven companies of militia and draw on the State for £12,000 to defray expenses. Clark thus prepared not only to stop the inroads of the Indians, but at the same time to conquer for his State a western empire.

Colonel Clark was given two sets of instructions. One, intended for the public, and especially for the Virginia legislature, directed him to repair to Kentucky with his army to defend the new settlements against the savages. The other instructions directed him to organize his army with all secrecy and dispatch for an attack on Kaskaskia or Vincennes. With characteristic quickness Clark made his preparations and set out for Pittsburgh January 4, 1778. He authorized his old friends and neighbors, Leonard Helm and Joseph Bowman, each to raise a company and join him on February 1 at Redstone Old Fort. William Smith was likewise sent to recruit a company on the Holston and join the other troops at the Falls of the Ohio. Nearer the frontier, Clark secured the services of Capt. William Harrod, who also raised a company, part of whom were from Pennsylvania. The Old Dominion furnished many gallant soldiers during the Revolution, but none

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were better than these modern Argonauts who set sail from Pittsburgh in May, 1778, to capture a fortress 1,000 miles away. Each man was a skillful hunter, an accurate marksman with his flintlock rifle, and accustomed to long journeys and all kinds of privations. Nearly all were Virginians, the leaders as well as most of the men being old acquaintances. Fear was unknown to them and yet, like brave men, they were cautious.

Clark broke up his rendezvous at Redstone May 12, 1778. At Pittsburgh and Wheeling he stopped on his way and took on supplies. Gen. Edward Hand, who commanded at Pittsburgh, gave all the assistance he could. At the Kanawha, Clark found the garrison in consternation over an Indian attack and was earnestly besought to join in the pursuit. He was not to be turned aside from his purpose, however, and continued on his way down the Ohio, followed and harassed every mile by the Indians, but never caught off his guard. At the mouth of the Kentucky he stopped and communicated with the settlements up that river, but decided to go on further and build the fortification for his base of supplies at the Falls. From this post he could more easily check Indian incursions from the north side of the Ohio. He reached the Falls about June 1. Besides the soldiers there was a number of families who had wished to come to Kentucky and had chosen this opportunity in order to avoid the murderous bands of Indians who then infested all the roads to that country. Some of these were doubtless the families of soldiers enlisted under Clark. After looking over the situation carefully, Clark decided to fortify Corn Island, just at the head of the Falls and nearest the Kentucky side. The land on the island he divided among the families, who soon had a crop of corn growing.

Clark now began in earnest to drill his little army for the desperate work ahead. Disappointed in the

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number of men from the Holston country who joined him here, he found it necessary to call for aid on the Kentucky government, by whom another company under Capt. John Montgomery was ordered to report to him. All told, Colonel Clark now found himself in command of about 200 men. Having drilled them nearly a month, he called them together and informed them of his plans. The following night a large number of the Holston men swam to the Kentucky bank and left for home.

The remainder, about 175, started for Kaskaskia on the morning of June 24, a date made certain by the total eclipse of the sun which occurred that morning. Everything now depended on speed and secrecy. There was no doubt but that in a fight his men would give a good account of themselves, but Clark was convinced that his only chance to capture Kaskaskia was by surprise. The Ohio river was then at good stage. The troops, doubling on the oars, rowed day and night. June 28 they landed on a small island in the mouth of the Tennessee, where they quickly prepared for a dash across Illinois. It was thought to be impossible to ascend the Mississippi without being discovered by some of the numerous traders or Indians passing up and down on that river.

Clark had scarcely landed at the mouth of the Tennessee, when a boat appeared with a party of hunters in it eight days only from Kaskaskia. Some, or perhaps all of them, joined the Virginians, and one of them, John Saunders, became the guide. After making every preparation and taking only as much baggage as if they were going on a hunting trip, the little army dropped down to within three miles of the deserted Fort Massac, hid their boats in the creek and took the trail for Old Kaskaskia. The distance was about 120 miles. On the level prairies they were in danger of losing their way and only the experienced

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guide saved them from wandering. They made remarkable time, however. They left the Falls June 24, reached the Tennessee on the twenty-eighth, went on and hid their boats the same day. On the morning of the twenty-ninth they set out on the march and on the evening of July 4 reached Kaskaskia. If Colonel Clark is correct in saying he left the Falls on the twenty-sixth, the march is even more remarkable. In the first case they had traversed at least 400 miles in ten days. Through the wilderness of Illinois they traveled twenty-five miles per day.

Colonel Clark had sent spies to the Illinois Country during the summer of 1777 and these had encouraged him to believe he could surprise the fort at Kaskaskia. The hunters whom he had intercepted at the Tennessee also reported the garrison negligent in keeping lookouts, while the French inhabitants were reported to be lukewarm in the British cause. There is good ground for the belief that Clark had confederates in the town who knew of his approach and had made preparations accordingly. At any rate, relying on this known friendly feeling among the French, Clark led his men to a farmhouse within a mile of the town but on the east side of the river, and finding boats ready to hand, crossed over, reaching the outskirts of the town soon after dark. The conduct of the American soldiers on this occasion would have been creditable to regulars. They remained in the immediate vicinity until near midnight without being observed or creating any alarm. At that time they quietly secured all the approaches to the village, entered the fort, now called Gage, and seized the commander, Philip de Rocheblave, whom they found asleep in his room. This done, there was noise enough. The citizens were warned to keep off the streets and all were led to believe that an army of 1,000 men had possession. Thus without bloodshed, without the firing of a gun, even without a sur-

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render, for Rocheblave and his men were spared that humiliation, this fortress that had sufficient garrison and supplies to withstand a siege by a regiment of men fell into the hands of less than 200 militia who had no other arms than their hunting rifles. Tradition has woven some beautiful stories around this feat of arms, but no authentic account gives any details. Most probably enemies of the English commandant joined Clark after dark and acted as guides.[2]

## § 13 Pierre Gibault and the Capture of Vincennes

As has always been the case in rural French villages, the priest was the principal man of the community. In their distress, now, the parishioners of Kaskaskia turned to Father Pierre Gibault, the priest. His request to call his people together once more before they were taken away as prisoners, for they expected to be driven away at last as the Acadians had been, was so readily granted by Colonel Clark that the priest at once became an admirer of the Virginian. When Clark, soon after, informed him that the French would not be molested in any manner, not even in the free exercise of their religion, the priest felt that it would be to his interest to aid the Virginians in all ways possible. He did this the more graciously since he had no sympathy either for the English personally or for their cause. Accordingly, when he learned that the American commander was contemplating an attack on Vincennes, he volunteered to go and win the French over to the American cause. Clark had brought with him a copy of the recent Treaty of Alliance between France and the American Nation, which was

[2] *Philippe de Rocheblave and the Rocheblave Papers, Fergus Historical Series*, No. 34. An account of the capture is given in the *Lawrenceburg Palladium*, March 20, 1830.

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now a great aid in dealing with the French at Kaskaskia and Vincennes.

As soon as Clark had secured all the other Illinois settlements he turned his attention to Vincennes. Gibault informed him that Abbott, the English commander, had lately gone to Detroit and that there was, at the time, no English garrison at the Old Post. Moreover, he said that he believed he could go to that place and by presenting the treaty between the two countries and explaining the courteous treatment received by the Kaskaskians, win them over to the American side. But Father Gibault, not wishing to seem to act in other than a spiritual capacity, asked that some one be allowed to accompany him to act as the political agent. However, he assured Clark that he would attend personally to all the details of the business. As a companion on this embassy with Father Gibault, Dr. Jean Laffont was chosen. Gibault has, heretofore, received all the credit for this achievement, but the letter to the inhabitants, as well as the instructions, was given to Laffont. The report to Clark attributes all the work at Vincennes to Laffont, while Gibault, ten years later, in a letter to his bishop at Quebec, denied having taken any hand in winning the Vincennes people from the British allegiance. Doubtless all the French needed was an opportunity to desert their hereditary foes. A friend of Colonel Clark secretly accompanied the delegation. Clark prepared an address to the French authorizing and directing them to organize their own militia and garrison the fort.

Thus prepared, this little party set out from Kaskaskia, July 14, to capture Vincennes, a post which Clark had feared to approach a fortnight earlier. The English along the whole northern border had been momentarily disconcerted by the capture of General Burgoyne at Saratoga. They were now expecting the

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Americans to attack Detroit from Pittsburgh. The reverse had thrown them on the defensive, for the time, and all but destroyed their prestige among the Indians. On this account Laffont and Father Gibault found no British troops at Vincennes and likewise none of their Indian allies. A few partisans had been left as spies by Abbott, but these withdrew as soon as they learned the purpose of Laffont and the attitude of the French inhabitants. Gibault found no difficulty in persuading his parishioners. Two days after he arrived he called his little flock together in the village church, where in sacred solemnity he administered to them the oath of allegiance to the United States. The animating effects of freedom were seen immediately. A garrison under an officer of popular choice was stationed in the fort. The American flag was displayed from the staff of the fort to the wondering Indians. By August 1 Laffont and Gibault were back at Kaskaskia with the good news. Communications with Kentucky were now established and Clark felt reasonably secure in his conquests.

This series of remarkable successes might have thrown a less vigilant commander than Clark off his guard, but there was no time for nursing his vanity. He now controlled three considerable towns, each requiring a garrison. Governor Henry, indeed, had so worded Clark's instructions as to leave him at liberty to dismantle the forts and return with the captured cannon to the fort at the Falls of the Ohio, but this would have reduced the whole enterprise from a magnificent conquest to an unexpectedly successful Indian foray. Such an idea was a stranger to Clark's ambition. To hold the conquests already achieved would require a full regiment, and the time of service of the small number of men then in Illinois would expire within a few days. Clark prevailed on most of them to reenlist, and sent those who wished to return home

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to conduct the prisoners to Virginia. The places of those who did not reenlist were quickly filled by French volunteers. Maj. Joseph Bowman, a cousin of Colonel Clark, was sent with a small garrison to take charge of Cahokia. Capt. John Williams was placed in immediate command of Fort Gage at Kaskaskia. The most dangerous command was assigned to Capt. Leonard Helm, the oldest and most experienced of this little group of officers. Helm was a Virginian, perhaps forty years old, who had spent most of his life as a scout among the Indians. He understood Indian character and was well suited for the difficult command at Vincennes.

A few Americans and creoles constituted his garrison. The French received their new commandant joyfully and the Piankeshaw chief, Tobacco, or the "Grand Door," as he was also called, in allusion to his tribe's position at the mouth of the Wabash, was soon in league with the Virginians. Indian chiefs came from many of the neighboring tribes and made peace with the Americans, but the Indians of the Upper Wabash remained hostile. Their attitude was traced to the influence of the British agent, Pierre Joseph Celoron, who was at this time stationed at Ouiatanon. Clark determined to capture this man or drive him away. For this purpose he sent Capt. John Bailey to join Helm in an expedition to the Wea Towns. When Celoron heard of this he fled, leaving his Indian allies to their fate. Helm surprised the stockade at Ouiatanon while the Indians were in council, and captured the larger part of them. After making a treaty of friendship with them he released his prisoners and returned to Vincennes.

Made bold by the impunity with which he had carried on his operations against the western settlers, and knowing something must be performed to restore British supremacy over the natives, Lieut. Henry Ham-

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ilton was preparing to make an attack on Fort Pitt, when, on August 8, 1778, Francis Maisonville arrived at Detroit with the astounding intelligence that 300 Virginians had surprised and captured the garrison at Kaskaskia. Hamilton at once notified Gen. Guy Carleton at Quebec of the disaster and asked permission to march against the Virginians at once. He was a man of great energy, and without waiting for orders from his superior at Quebec began collecting men and supplies for the expedition. Agents were sent with war belts to all friendly tribes. One of them, carried by Celoron, we have already met at Ouiatanon.

By October 7 the British expedition against Vincennes was under way. It numbered about 200 British and French and 300 Indians. Crossing Lake Erie in a snowstorm that all but wrecked the boats, the troops ascended the Maumee. On October 24 they reached the portage at Fort Wayne. Progress was slow. They carried 97,000 pounds of baggage. The rivers were low and the ice had already formed on the Upper Wabash. The boats grounded and the baggage had to be carried for long distances over the shallows. The fleet of fifteen large bateaux at last reached Ouiatanon, where the commander delayed long enough to hold a formal council with the Indians. Small scouting parties were sent ahead to watch all the approaches to Vincennes and cut off all communication. These parties succeeded in capturing Captain Helm's scouts.

Learning from them that the garrison at Vincennes was not strong enough to resist an attack, Maj. John Hay was sent in advance to occupy the town. He decided not to attack the fort at once, and by the time the main British force arrived Helm's garrison, if he ever had one, had melted away. Captain Helm reported that when the British came in sight he had not so much as four men on whom he could rely. Presumably his garrison, realizing the uselessness of

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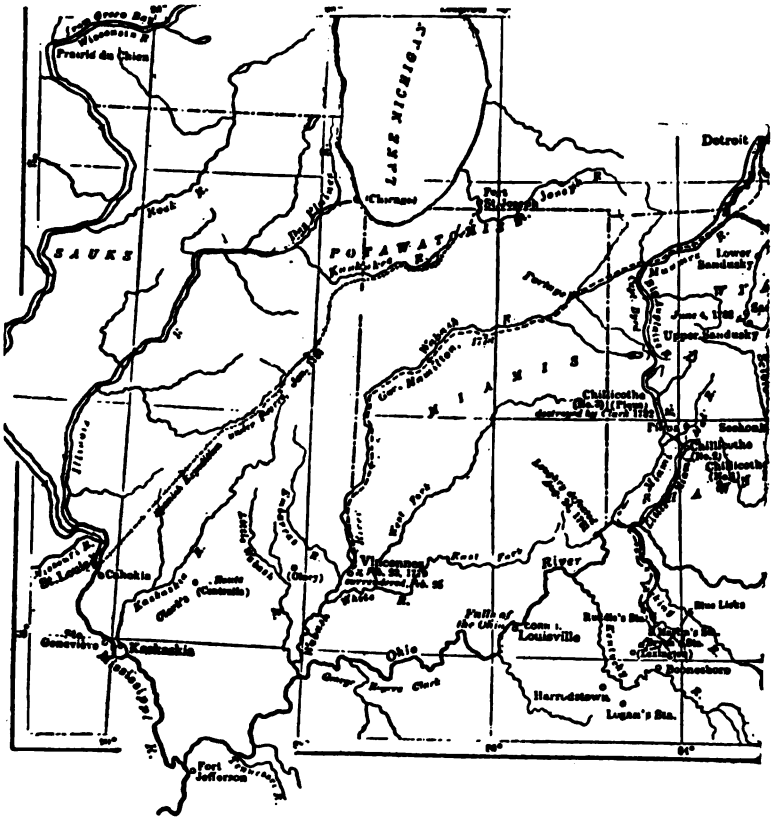


CAMPAIGNS IN THE NORTHWEST

From Avery's *History of the United States*
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resistance, mingled with the inhabitants and later joined Clark when he came to the rescue. There was no opposition. Captain Helm made the best bluff possible with his one small cannon and then, December 17, 1778, surrendered at discretion. The British had made the distance of over 500 miles in seventy-two days, an average of seven miles per day.

Again the Frenchmen of Vincennes were called together and the oath of allegiance to Great Britain administered. Hamilton destroyed all the liquor, and even the gaming tables in town, and placed the people under martial law. Having decided that it was impossible to capture Kaskaskia on account of the season, he accordingly went into winter quarters. A small scouting party was sent to secure information concerning the Americans, with instructions to capture Colonel Clark, if possible, by watching the roads about Kaskaskia.

The fort at Vincennes was remodeled. A large stockade was built and the ground inside covered with gravel. Two blockhouses were built of strong timbers, with openings above the stockade enclosure for the cannon. Having decided to go into winter quarters, the British general dismissed his Indian allies and sent all his Detroit militia home, retaining only about one hundred men. Many of the latter men were dispatched with Indian war parties to watch the Ohio river and destroy all Americans found; others were sent on a mission to the southern Indians to raise them against the Tennessee frontier. All were instructed to be in readiness for the grand council at the mouth of the Tennessee, and the campaign in the spring, when Hamilton hoped to lead one thousand well-armed troops against the Illinois posts, then sweep eastward through Kentucky, and capture Pittsburgh.

Among the French in the Illinois Country there was none more popular than the wealthy trader, Francis

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Vigo, of St. Louis. Vigo was a Sardinian who had come to America in a Spanish regiment. He now undertook a trip to Vincennes, partly no doubt on business of his own and partly to gain information for Clark regarding the conditions at that place.

He left Kaskaskia December 18, ignorant of the fact that the British had retaken Vincennes, and a few days later was captured on the Embarrass river by one of Hamilton's scouting parties. After the Indians had relieved him of his horse, money and arms and carried him to Vincennes, he was thrown into prison. For some unknown reason, perhaps at the intercession of Gibault, Hamilton allowed him to return home on promise of going directly to St. Louis. He reached Kaskaskia by way of St. Louis January 27, 1779, bringing the first satisfactory report Clark had received of conditions at Vincennes since the capture of Helm. A rumored attack on Kaskaskia had already caused Clark to concentrate his forces at that place. He now had one of three alternatives: He could abandon his conquests and return to the Falls; he could remain and risk being captured in the spring; or he could take desperate chances on capturing his enemy now in comfortable winter quarters. It is the imperishable glory of Clark that he chose the latter. He decided to risk everything in an immediate campaign against Hamilton. Volunteers were called for and a company of French creoles enlisted for the expedition. No reinforcements had been sent him from Virginia, nor had he so much as heard from Governor Henry for almost a year. The future of the Northwest was, fortunately, in the hands of no common soldier. The weather was damp and murky; the flooded streams covered the level prairies. The travelers sank ankle deep in the sodden leaves of the forest or the grass of the prairie; but fortunately the weather was not freezing cold.

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## § 14 The Last Capture of Vincennes

Colonel Clark was at Prairie du Rocher when the rumor reached him that the British were already in Illinois. Leaving the ballroom, where he was being entertained, at midnight and sending a horseman to Cahokia, sixty miles away, to summon Bowman and his troops, he left immediately for Kaskaskia, arriving there before daylight. Although Cahokia was seventy-five miles away, Bowman, with his soldiers, joined his commander the following evening. Fort Gage was put in readiness for a siege. As soon as Vigo arrived with information that the British had retired to winter quarters, Clark began to organize his expedition against Vincennes. The French freely enlisted for the attack and means for equipment were found through the financial aid of Colonel Vigo.

A rowboat, capable of carrying fifty men and half a dozen small cannon, was equipped and placed under the command of John Rogers, a cousin of Colonel Clark. This boat was to drop down to the mouth of the Ohio and ascend that stream and the Wabash to within a few miles of Vincennes, where it should await the troops marching overland.

The energy and determination of Clark quickly rekindled the enthusiasm of all around him. French and Americans alike entered heartily into the campaign against Vincennes. Clark chose a small band of men, one hundred and thirty of the best, and escorted by the creole population, the girls especially joining in the parade and the priest, Father Gibault, adding his blessing, set out on the difficult march overland. As soon as they were out of town, strict discipline was enforced for a few days, after which the long march of 240 miles began in hard earnest. As was customary with Clark, he required his men to take as little baggage as circumstances would permit. There

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was no real hurry and Clark made the mistake, almost fatal, of reaching the Wabash before his gunboat, the "Willing," could reach its destination. As soon as the little army got clear of the settlements, discipline was relaxed, and for a week there was more the appearance of a hunting party than of serious war.

The troops left Kaskaskia February 5 and in ten days reached the Embarrass, near where Lawrenceville, Illinois, now stands. They found this river impassable and, turning to the right, struck the Wabash eight or ten miles below Vincennes. The commander of the "Willing" found the Wabash at flood and the main current, which he had to follow on account of the timber, very swift. It was thus impossible to get to the appointed rendezvous on time. In the meantime Clark's army was reduced to the point of despair. The bottom lands were drowned and there were no boats. While the men were making dugouts, preparatory to crossing the river, some Frenchmen from Vincennes, presumably duck hunters, were captured—or very probably they were Clark's friends. With the canoes thus captured and the dugouts they had built, the men crossed over to the east side of the Wabash. This was on February 22. Except for one deer, the army had had no provisions for three days. The horses had either been killed or left on the Illinois side of the Wabash. In vain did Colonel Clark send down the river to learn tidings of his boat. He had hoped to reach Vincennes by a half-day's march after crossing the Wabash; but now an endless waste of water was all his eyes could see, with here and there at intervals of three or four miles the crests of hills rising above the flood. The Frenchmen discouraged Clark's men by saying that it was utterly impossible to get to Vincennes without boats. Something, however, had to be done, so the little army set out in Indian file, Clark in the van, Bowman in the rear, and after wading three miles in water

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waist deep, reached a few acres of dry land and camped for the night. There was not a bite to eat. Morning brought only a renewal of the toilsome struggle. This day's march led them through a growth of underbrush almost covered with water, which made the wading doubly difficult. Finally they came to a place where the water gradually deepened. The men in the dugouts reported it too deep to wade. There was no hope in return. The men gathered around their commander, and it seemed their expedition was at an end. Colonel Clark hestitated only for a moment, then pouring out some powder in his hand, wet it, blackened his face, and in desperate mockery gave the Indian war-whoop as he plunged into the water. His followers struck up a song. The water was already up to their chins, when some of the soldiers, perhaps Frenchmen who were well acquainted with the land, found a path with their feet. This led them over the highest ground, thus enabling them to wade to a hill on which was an old sugar camp. Here they found half an acre of dry land on which they camped for the night. Their courage was well nigh gone. There was no food and the night was cold.

The morning sun rose bright and clear. Instead of breakfast the men listened to a spirited appeal from their captain. Vincennes was in sight but separated from them by six miles of water, covered in many places by a thin crust of ice. Clark did not wait for parley, but when he had finished his harangue, drew his sword and led the way. The water was shoulder deep. There were no trees nor brush to support the weakened soldiers. Major Bowman, with twenty Virginians, instructed to put to death any man who refused to march, brought up the rear. The lake before them was the Horseshoe Plain, four miles wide, covered with three or four feet of water. On the other side was a forest. Toward this the soldiers worked their

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way. The canoes and dugouts plied along the line picking up the weakest. Each strong man was supporting a weaker. Finally they reached the timber only to find the water deeper. A few of the staunchest were able to make this last short distance, where the water came to their chins. The others clung to trees and logs till they were picked up by the boats. Many when out of the water were unable to stand. The leaders built fires as soon as they reached the land, and as the others came ashore they were alternately exercised and warmed until they regained their strength. To add to their good fortune, a canoe in charge of some squaws was seen and overhauled. Some buffalo meat, tallow, corn and kettles to cook them in were thus obtained, and a light meal of broth prepared. The spirits of the soldiers revived with the passing of the danger. Vincennes lay in full view across a narrow plain.

The lower parts of this intervening plain were covered with water. Some Frenchmen were out on the water shooting ducks. A party of Clark's creoles brought into camp one of these fowlers, from whom Clark learned the conditions at Vincennes. So far, the coming of the Americans had not been discovered. There were about 200 white men in Vincennes and an equal number of Indian warriors. The situation as it presented itself to Clark was not without difficulty. An indiscriminate attack on the town would throw all its inhabitants together into an opposing force more than double the Americans. A surprise was risky even if it could be effected. It would leave those who sympathized with the Americans, and Clark knew they were numerous, in doubt as to what to do.

Clark did the only sensible thing under the circumstances. He sent a letter by the captured fowler to his friends in Vincennes, apprising them of his arrival and warning them to keep off the streets and out of

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the way of harm until he captured the fort. The tone of his letter led them to believe that there was no doubt of his success. Under these conditions it seems no one took either the trouble or the risk of Clark's displeasure to warn the garrison.

Clark immediately marshalled his little battalion and followed close upon his messenger. By the time the curious creoles had gathered at the edge of the town to see if the report was really true, Clark was marching into the town. The attacking column formed in two divisions. One under Bowman marched direct to Fort Sackville and shut up the garrison. The other, under Clark himself, took possession of the town. The Frenchmen, referred to by Clark as prisoners, acted as guides, and every movement was carried out with precision.

Fort Sackville, it is thought, stood near the river bank between the present Vigo and Barnet streets, facing St. Xavier church, which stood in what is now Church street. The fort was in a good state of defense except for a garrison. The French militia, on whom Hamilton had largely depended, now deserted him.

The first division of the Americans took up a position in front of the main gate of the fort, where, under cover of darkness, they hastily threw up a barricade. The other Americans took up their positions cautiously around the fort, and a desultory fire was kept up on the blockhouses throughout the night. After dawn the battle opened in good earnest. The accurate fire of the frontiersmen, many of whom were only fifty yards from the fort, prevented the British from manning their guns, and after six or eight men had been hit they gave it up entirely. The French militia now joined the Americans boldly. The Piankeshaw chief also offered to aid Clark with 200 warriors, but the offer was courteously declined, although Clark availed himself of the chief's counsel during the night. About

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nine o'clock in the morning, February 24, Clark sent in a demand for surrender. While this flag of truce was passing, Clark's men ate breakfast, which was kindly furnished them by the women of Vincennes. Hamilton, who was no coward, promptly refused the demand for an unconditional surrender.

In the afternoon the spirits of the British began to fail. The superior marksmanship of the back-woodsmen was telling on the garrison. Hamilton had only about sixty trusty British regulars, the rest being Detroit volunteers. Of the regulars, eight or ten were already killed or wounded. With his garrison half mutinous and an assault on the works imminent, Hamilton sent out a flag to ask for terms. A conference followed at the church. While this was being held, some Indians, who had been captured a few hours before, were led down the street to the river bank in front of the fort gate, tomahawked and their bodies thrown into the river. The miserable wretches had been taken red-handed as they returned from a scalping raid to Kentucky. Their brutal butchery by Clark's men is not to be condoned, but the sight of it completely unnerved Hamilton, and terms of surrender were quickly arranged. Thus culminated one of the romantic exploits of the Revolution. Its results have been as far-reaching as those of any other achievement of that war save the achievement of Independence itself.

Historians have not failed to point out the great advantage which the capture of Vincennes gave to our peace commissioners at the Treaty of Paris, but they have neglected to emphasize its immediate effect on the Revolutionary War itself by completely breaking up the British campaign for 1779. The city of Savannah had just been stormed and a British base of operations established there. Agents from this place had gone among the southern Indians and raised them against the back settlements. Arms and other supplies

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of war, to the value of $100,000, had been sent to the Cherokees, who were making their war camp at Chickamauga. From the north, Hamilton had come down from Detroit, had recaptured Vincennes and was spending the winter there repairing the fort. He regarded Clark as a mere frontier raider, who, in the presence of an organized force, would offer about as much resistance as Helm had at Vincennes. This was his fatal mistake. He had sent most of his soldiers among the tribes to prepare for the big council of all the western Indians, from the Chickasaws and the Cherokees on the south to the Menominees and Ottawas on the north, to be held in the spring at the mouth of the Tennessee. With a force of 1,000 Indians and British, provided with brass cannon to batter down the stockade forts in the valley, Hamilton intended to sweep up the Ohio, break up the settlements of Kentucky, capture Pittsburgh and devastate the frontiers of Virginia and Pennsylvania. At the same time a British army would advance from the south. Thus, with Howe at Philadelphia, they would attack Pennsylvania and Virginia on all sides and end the war. Virginia never did herself more honor than when these dangers hovered on her borders. While one of her sons drove Howe to the seacoast at New York, another, Col. Isaac Shelby, gathered up a small army and fell upon the Cherokee camp at Chickamauga, destroying all their stores, killing many warriors and demoralizing the tribe; a third, as has been noted, captured the British general, Hamilton, at Vincennes. Not only did the winter campaigns of Clark and Shelby save the frontier from Indian depredations and allow the backwoodsmen to fight at King's Mountain and Cowpens, but it kept open the western way to New Orleans, whence many of the supplies for the Virginia troops came.

Colonel Clark learned from his captives that a de-

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tachment of Hamilton's troops was already on its way to Vincennes with a large amount of stores for the Indian council at the mouth of the Tennessee and for the ensuing campaign. The next day after the surrender, February 26, he sent fifty men in three boats up the river to intercept this party before it should learn the fate of the garrison at Vincennes. The command was given to Captain Helm, but most of the men were Vincennes militia under their own officers, Francis Bosseron and J. M. P. Legras. They advanced rapidly for about one hundred and twenty miles, when the scouts announced the approach of the enemy. These latter, commanded by a commissary named Adhemar, were surprised in camp at night and then taken without a struggle. There were forty of the British in seven boats and fifty of the Americans in three. The mails from Detroit, with dispatches to Hamilton, were all captured, showing that the surprise was complete. There was great rejoicing among the creoles when the party returned. The captured stores were valued at $50,000.

Clark was thinking seriously of continuing his march against Detroit; and, but for the prisoners with which he was encumbered, might have made the attempt. The prospect of success was encouraging. There were only eighty soldiers in the dilapidated fort at Detroit. The Indians were overawed. The citizens prepared a public feast when they heard that Hamilton was captured, and they laid up stores against the time when Clark should make his appearance at their post. Clark thought it best, however, not to risk all in a desperate venture that was not absolutely necessary.

On March 7 Hamilton and eighteen other British prisoners were sent to Virginia and the rest of the captured men were either paroled or voluntarily took the oath of allegiance. Forty men, under Lieut. Rich-

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ard Brashers, were left to garrison Fort Sackville, whose name they changed to Fort Patrick Henry; Captain Helm was made civil commandant of the town. With the rest of his troops, Colonel Clark embarked on his little fleet for Kaskaskia, March 20, 1779.

It is extremely unfortunate that Clark was unable to capture Detroit at this time. The long, bloody Indian wars that followed, lasting twenty-five years, are inseparably connected with the British occupation of that post. The Miami Indians might have been saved had it not been for British interference. As it was, their minds were poisoned against the Americans so much that they fought until they were ruined.[8]

## § 15 Civil Government Under Virginia

An account of Clark's victory at Kaskaskia reached Virginia in October, 1778. On the recommendation of the governor all the lands northwest of the Ohio were organized as the county of Illinois. John Todd, Jr., was chosen county lieutenant to establish the authority of Virginia in the new conquest. He reached Kaskaskia in May, 1779, soon after Clark returned from his campaign against Vincennes. His instructions required him to show every possible respect to the French and cultivate the good will of the Indians. He had no authority either to make grants of land to settlers or purchase it from Indians. He was to give the people

[8] The best source for the details of Clark's Campaign is the *George Rogers Clark Papers*, published 1912, by the Illinois State Historical Library, Prof. James Alton James, of Northwestern University, editor. In this volume are all the papers relating to Clark's campaign. Good accounts are by William H. English, *The Conquest of the Country Northwest of the River Ohio;* by Theodore Roosevelt, *The Winning of the West;* Dunn, *Indiana;* and numerous authors of lesser note. Mann Butler, *History of Kentucky*, and Humphrey Marshall, *History of Kentucky*, both wrote while many of Clark's soldiers were living. Roosevelt used some traditional evidence in his account.

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all the self-government compatible with military occupation and their exposed position.

Soon after his arrival, perhaps in June, he ordered an election. The details of this early election would be interesting, but we do not have them. In June, either by this election or by appointment, a civil and criminal court was constituted at Vincennes. Col. J. M. P. Legras and Maj. Francis Bosseron were the leading citizens at Vincennes. The former became commandant of the post, while the latter, who was the wealthiest of the inhabitants, ruled the council or court, as it was called. The chief activity of the commandant as well as the court was to make grants of land, especially to the new settlers, many of whom followed in Clark's wake. This power was not conferred on court or commandant, as has been stated, and its use soon led to trouble. Lieutenant Todd soon returned to Virginia on business of the new government, leaving the French to carry on their government to their own liking. There is no evidence that he was ever in Vincennes.[4]

Left without the support of the Virginians, the government at the French posts rapidly melted away into anarchy. There was no power to regulate the Indian trade and the visits of the Indians were the occasions for drunken debauchery and robbery. The usual results followed. The outraged Indians meted out their vengeance to the exposed farmers. Murders were a daily occurrence. The orderly class of people in the villages undertook to drive the lawless traders away and in the struggle organized government disappeared. The trade with Canada was entirely ruined by Clark's success and that with New Orleans soon

[4] The *Record Book and Papers of John Todd* are given in number thirty-five, *Fergus Historical Series*, edited by Edwin G. Mason, 1890.

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ceased because the Indians resorted more and more to Detroit, where they were better treated by the British.

The Virginians flooded the Illinois and Wabash settlements with paper money which soon depreciated and became worthless.[5] Several of the best friends of the conquerors were financially broken by accepting this in payment for their property. The priests strove to set a barrier to the flood of vice. The letters of Father Gibault to his bishop at Quebec give us a terrible picture for Vincennes. According to him the condition of the little village was much more vicious and lawless than the Miami towns higher up on the Wabash. The Virginia legislature soon realized its own inability to garrison and govern the distant settlements and turned the whole conquest over to the national government, which did not find itself able to furnish a stable administration for the next ten years. During this time the soil of Indiana was devoted to violence and savage wars.

Before leaving this chapter of western history the generous recognition of the services of her soldiers by Virginia must be noted. A beautiful and costly sword, engraved appropriately, was voted the victorious Colonel Clark. Besides this and the formal thanks of the legislature, a tract of land was donated to the little army. The land was selected by Clark, and the other officers appointed for that purpose, on the north bank of the Ohio river just above the Falls. This tract of 150,000 acres, in Clark, Scott and Floyd counties, is known as "Clark's Grant," or the "Illinois Grant." It was the first land surveyed in the State and, with the Vincennes tract, forms the only considerable exception to the general survey in the State. It was divided into lots of 500 acres each. A town site of 1,000 acres was

[5] See letter of J. M. P. Legras in the *Todd Papers*, *Fergus Historical Series*, No. 33, p. 198. The French farmers had sold all their produce to Clark for these worthless bills.

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set aside by the State of Virginia and named Clarksville. Here the gallant general and many of his men made their homes, and the cities they founded here at the Falls, Louisville, Clarksville, Jeffersonville, are their appropriate monuments.[6]

[6] There is a vast amount of literature on the subject of Clark's conquest, but by far the best is the monograph written by William Hayden English, *Conquest of the Country Northwest of the River Ohio*, 1896. There is a good sympathetic account in *The Winning of the West*, by Theodore Roosevelt. The documents are all given in the *George Rogers Clark Papers*, edited by James Alton James, 1912, which is the final authority on this period. John B. Dillon, *History of Indiana*, wrote his accounts from original documents in the Lasselle Collection at Logansport.

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## CHAPTER IV

### CLOSING CAMPAIGNS OF THE REVOLUTION, 1780-1783

### § 16 INDIANS OF INDIANA

A HISTORY of the Indian inhabitants of Indiana can scarcely be kept in geographical bounds, since the Indians were nomadic in their habits. All the tribes, which, at any time, had their homes on the soil of the State or hunted in its forests, belonged to the Algonquin stock, unless we except the Mingoes, who were a branch of the Iroquois and had homes for a time in Ohio. It is difficult to form an adequate notion of these primitive peoples. They left no records, and the untamed Indians seem to have been a puzzle to the first whites who visited them. Usually morose, calm and cold, they would at times break out into expressions of wrath or grief. Usually they were masters of their feelings, so that they could withstand the severest trials of cold and hunger without a murmur, or, tied to the post of torture, could sing their death-song like martyrs. But at times, such as the death of a chief, or the destruction of their village, they would moan and sob like children.

Their thoughts were primarily of war and the chase. Their senses were keen but their reason rudimentary. They believed in sorcery and witchcraft; spirits, friendly and unfriendly, animated everything around them. Powerful giants contended with the forest and dashed to the ground the stalwart oaks. The frost king came down from the north and blew his breath on the grass and trees and they died; he laid his icy hands on the lakes and rivers and forthwith they



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were still in death. The shaggy bear sought shelter in the hollow trees; the deer and bison fled from the prairies beyond the reach of the Indian arrow. The pike and trout, at the frost king's approach, withdrew to the deepest pools. The tribes then divided up into small parties who pitched their bark tents in the shelter of some protecting pines. They were fortunate if all escaped death by cold and hunger through the long winter.

Spring brought its bounties of fish, berries and game. The sufferings of the winter were forgotten in the balmy sunshine. But the Indians learned little by experience. Their squaws prepared the fields and planted the corn, beans and pumpkins. In the harvest time they lived care-free, only to meet the coming winter as unprepared as before. Nature was too much for their simple thought and the work of natural forces seemed to them the work of spirits. Their reverent, childlike minds were lost in the confusion.

No Indians made homes in the hunting grounds of Kentucky. It was the border-land of the Cherokees, Miamis and Iroquois. The Miamis, who visited it oftenest, did not dare to take their squaws and papooses there for fear of the hostile Cherokees, whose homes were in the mountain valleys of Tennessee. Likewise they did not make the upper Ohio Valley their home for fear of the predatory Iroquois. But around the western end of Lake Erie, in the valley of the Maumee, on the Wabash and its branches, the Mississinewa, the Eel and the Tippecanoe, on the Elkhart, and the St. Joseph, was a numerous population. The strength of these combined tribes, the Wyandots, Mingoes, Delawares, Shawnees, Miamis, Munsees, Pottawattomies, Kickapoos, Weas, Piankeshaws, and the various bands of Lake Indians, that sometimes visited the northern boundaries of Indiana, is variously estimated at from 5,000 to 25,000 warriors. Stretched in a chain of towns

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from Lake Erie to the lower Ohio they formed an impassable barrier to the further progress of western settlement.

Under their system of confederation it was next to impossible for any leader to weld the tribesmen into an army. There was no bond uniting the tribes, other than a feeling of kinship. Though open war never happened between whole tribes, such as was carried on between Iroquois and Hurons in the earlier days, there were bickerings and petty quarrels, ending in murder and consequent reprisals, going on all the time. Intertribal quarrels were liable to blaze out at any time and break up a large Indian army. The constant encouragement of the English at Detroit also helped to hold the tribes more firmly together than was customary. Likewise the steady pressure of the white settlers threw the tribes back upon each other, making concerted opposition to a mutual enemy easier. The soil of Kentucky, Ohio and Indiana was the last great battleground of the natives with the settlers. There the remnants of the broken tribes rallied around the native Miamis. They never retreated from this stronghold. When the wars were over, they were so completely conquered they never again united in a war against the whites. It will give a clearer idea of this Indian people to sketch briefly, in review, the legendary history of each separate tribe.[1]

In the early days the Hurons, of whom the Wyandots are the descendants, occupied the basin of the Great Lakes and the St. Lawrence Valley down to Que-

[1] The best sources for the history of the northwestern Indians are, *Aborigines of the Ohio Valley*, by William Henry Harrison; *The Jesuit Relations;* Thwaites, *Early Western Travels; The Indian Tribes of the United States*, Henry R. Schoolcraft; *Michigan Historical and Pioneer Collections; Documents Relating to the Colonial History of New York;* and *The French in America*, Francis Parkman. There is a vast literature on the subject, most of which is partisan. For illustrations of Indian life see Catlin.

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bec. In an earlier paragraph the attempt of the French to civilize and reorganize this tribe has been noticed. The national enemies of the Hurons were the Iroquois. In a long war, said by Huron tradition to have been carried on through seventy summers, the Iroquois drove the Hurons back on the Ottawas and Chippewas, whose combined strength turned the tide of battle; so that the Iroquois in turn were saved only by the interposition of the French. The fact seems to be that the Hurons were so nearly destroyed that the wreck of the proud tribe sought refuge under the guns of Detroit.

After the destruction of the Iroquois in 1778-9 the Wyandots established their tribal village on Sandusky river in northern Ohio. They had profited by their ancient relations with the French and far surpassed their neighbors in civilization. They lived in well-constructed log dwellings and carried on considerable agriculture. They numbered at this time near 450 warriors. From this new home they joined with other Indians in the long border warfare carried on during and after the Revolution. They joined in the various treaties that mark the stages of that struggle, and, when finally forced to cede their last lands to the United States they passed with their kindred tribes to the valley of the Kansas, where the name of a county perpetuates their memory.

The Wyandots had the reputation of being the bravest as well as the most humane warriors on the frontier. They rarely punished their captives; but, on the contrary, at once adopted most of them into their families. So many captives were adopted that the character of the tribe was materially changed. Many traditions lingered with the warriors and chieftains of this nation. One tradition is that in the old days of the tribe's glory, a famous chief, wishing to know how many warriors he had, commanded that each, as they filed past him, should drop into a wooden bowl, which

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the chief held, a single grain of corn. Although the bowl held over half a bushel, the grains had filled it before all the warriors were past.

Like the Wyandots, the Mingoes were a tribal remnant. They were the descendants of the haughty Iroquois. In their days of power they had fought their enemies victoriously on the shores of the Gulf of St. Lawrence, in the valley of the Connecticut, on the banks of the Mississippi, along the rocky coasts of Lake Superior and among the pine barrens of the Carolinas. In all those wide reaches no Indians lived that did not acknowledge the power of these warriors. But at the close of the Revolution the broken tribes were refugees in the land of their ancestral enemies. The Mingo villages were in northern Ohio and few, if any ever made their homes in what is now Indiana, though in war and chase they joined with the Miamis and ranged our forests and streams.

Like the latter nations, the Delawares also were a fugitive people. Their fathers sleep on the beautiful Susquehanna, around the Chesapeake, and on the numerous rivers and bays of Virginia. They were Delawares who captured John Smith; and so were those who treated with William Penn. Powhatan and Pocahontas were of their royal blood. Before the terrible Iroquois and the encroachment of the white settlers they had been forced gradually westward. Count Zinzendorf, Heckewelder and David Zeisler, the Moravian missionaries, had worked among them.

The homeless tribes settled on the Muskingum and Beaver creek in Ohio about 1760. There they established their "Gnadenhütten" or Tents of Peace. They were a dirty, squalid people about their villages. Lazy warriors basked in the sun or smoked in indolence while their squaws tended the small gardens or did other work. Their numerous towns were scattered far up this valley. They could muster near 600 warriors.

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They mingled on terms of equality and friendship with the Shawnees and took an honorable part in every contest for their new homes from Braddock's Defeat to the Battle of the Thames. After the War of 1812 they were transported beyond the Missouri. Some of the tribesmen passed thence into Texas, where they served as guides or hunters along the Santa Fe Trail, varying the occupation occasionally by robbing Mexicans, in which they exhibited their old time skill, for they were reputed to be the best horsethieves along the border.

The Shawnee Indians have a beautiful tradition of the Creation. It runs thus: The Master of life, himself an Indian, made the Shawnee before any other human beings. He gave to the Indians all the knowledge he himself possessed. From the various parts of the first Shawnee the Master made the French, English, Dutch and Americans. The inferior nations were made white, as a sign of their weakness. But later, the all-powerful Shawnees, becoming corrupt, knowledge was taken from them and given to the despised whites.

Of all the savages who warred on the western settlers, the most dreaded and despised were the treacherous, cruel, sneaking Shawnees. Their very name was a terror throughout the border. They are said to have come originally from the south, driven thence by the allied tribes on account of their treachery. They settled on the Scioto and on Paint creek in Ohio. Large towns were found also at Piqua and on Mad river. Later they settled on the Great Miami. The Chillicothe towns were also Shawnee. All told there were no less than sixteen villages. Under their most famous chiefs, Tecumseh and the Prophet, they migrated to Indiana. From the beginning of the French and Indian War in 1755 down to the end of the War of 1812, ill-tempered Shawnee warriors were continually harassing the American frontiers. Rarely taking a leading part, it was they who usually broke the peace

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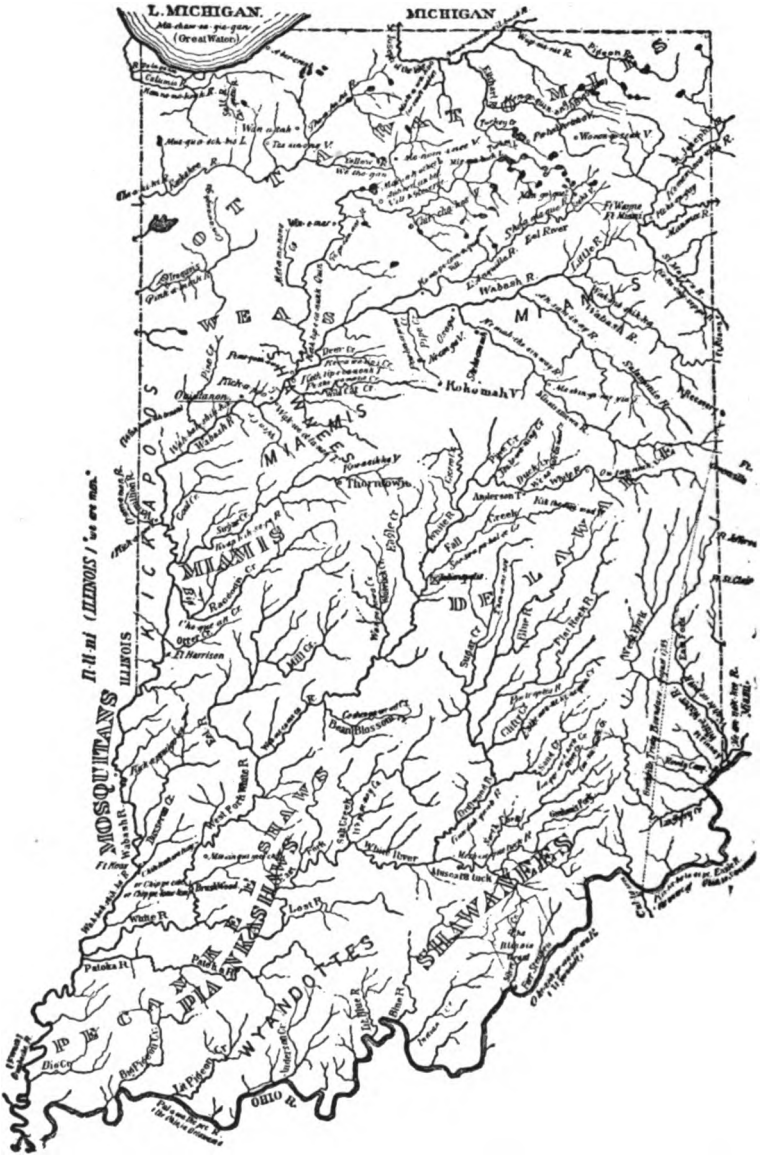


THE INDIANS—FROM STATE GEOLOGICAL REPORT, 1882

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by committing some murderous foray. They were near the Ohio and it is to them that nearly all of the long list of casualties on that river are to be charged. In the beginning of these wars they were a numerous tribe. The Piqua towns alone are said to have numbered 4,000 souls. The last years of the struggle wasted them rapidly, so that when they were transported to their western home only about 1,800 of the large tribe remained. Shawnee county, Kansas, marks their later home.

So far as is known the Piankeshaws had always lived on the Lower Wabash. They had always been on friendly terms with the French and when the latter welcomed the Virginian, the Piankeshaws did likewise. Their friendship for the Americans was most fortunate; for, had the two hundred warriors of Tobacco's Son been hostile, the conquest of Vincennes could not have been made by Colonel Clark. They were a branch of the Miami Confederacy. Their towns extended as far up as Terre Haute and the Vermilion stream. They quickly melted away before the vices of the more highly civilized whites. Harrison later described them as a most woebegone people, who, after bartering their clothes for whiskey, would then spend their time in drunken debauchery as long as the whiskey lasted. County Volney says the swine rolled the drunken wretches around in the gutter with their snouts.

Strongest of all the northwestern Indians were the Miamis. The nation or confederacy was made up of at least four tribes. The Twightwees lived in the valley around the junction of the rivers St. Mary and St. Joseph. Their principal village, Kekionga, was on the site of Fort Wayne. Another large village, over on Eel river, was called the Eel River Miamis. Other villages were on the Mississinewa and on the headwaters of White river.

Down the Wabash farther was the Wea town, Ouia-

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tanon, claimed by the Weas as the ancient home of their forefathers. Their squaws and children cultivated wide fields on the Wea Plains below Lafayette. The Shockeys, who dwelt on the Vermilion river and the prairie west of the Wabash, were also reported pure Miamis. Besides these, there were the Pottawattomies, whose principal villages were on the Tippecanoe and the many beautiful lakes tributary to it, and on the Kankakee river and the St. Joseph of Lake Michigan. This was a warlike tribe when aroused, but not so irritable as the Shawnees or Delawares. The Kickapoos were an allied, if not a kindred tribe living on the prairies northwest of Lafayette. Bands of Chippewas and Ottawas frequently dwelt on the Yellow and Kankakee rivers in friendly relation with the Miamis.

All these tribes, together with fugitive bands of Shawnees, Delawares and other eastern Indians falling back before the white settlers, made an Indian population on the Wabash of at least 5,000 warriors. Under their great chief, Little Turtle, they fought with a desperate courage unequaled in Indian warfare.

Their traditions taught them that the Wabash was their sacred river. Little Turtle, at the treaty of Greenville, said it was well known that his forefather kindled the first fires at Detroit; from thence he ran his line to the Scioto, to its mouth, and thence down the Ohio to the Wabash; from the mouth of the Wabash to Chicago on Lake Michigan. They have no tradition of a migration. The earliest French explorers found them on the Wabash and there the spirit of the tribe remains. A few hundreds of their children were carried away beyond the Mississippi, but, more nearly than any others, they mingled with the whites. Miami county, Kansas, is a memorial of them. More humane treatment would have subdued their haughty pride and converted the whole tribe into valuable citizens; but at the close of the eighteenth century they were a savage

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folk who massacred women and children, drank the blood of their victims, and made merry as they burned their captives at the stake. More white men have been tortured at old Kekionga than at any other place in the State.

## § 17 Last Stage of the Revolutionary War in the West

After the capture of Colonel Hamilton the British changed their plans in the west. Previous to that event it had been the custom for England to conduct the war with comparatively strong bodies of regular troops, aided by such bands of Indians as could be had. The Indians were armed and provisioned by the British but the war was waged by British troops commanded by British officers.

After the fall of Vincennes a Tory Knickerbocker named Arent DePeyster took command at Detroit. As with Hamilton and Rocheblave, the policy of this partisan was to rouse the Indians to war, supply them with arms and provisions and place them in charge of white officers. This policy had for its object not only the terrorization of the frontier, but the British general hoped thus to prevent the Americans from making any effort at capturing Detroit. The Indians were led to believe that they could drive the settlers from Kentucky.

Colonel Clark never regarded his work of conquest as finished. Detroit was his objective, and he had been keen enough from the first to recognize that fort as the source of all the western depredations. Jefferson, who succeeded Patrick Henry as governor of Virginia, was in accord with Clark's plan and did what he could to aid him. But the Indians north of the Ohio were becoming more hostile, and all the men on the border were needed to repel their frequent incursions. The

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traitor Arnold having invaded Virginia in 1781, that State could hardly spare a man, nor was it afterward free of hostile armies till the war was ended. Historians have blamed the Virginia government for not supporting Clark; but such censure is nonsense. He would, indeed, be a far-sighted governor who would send his army fifteen hundred miles through the forest on a foreign conquest when his own capital was in the possession of the enemy and hostile armies devastating the homes of his people.

Clark did, later, recruit some reinforcements in Pennsylvania and was enabled to garrison Kaskaskia, Cahokia, and Vincennes. The Indians around these forts were completely overawed. No American was more feared by the Indians than Clark. A small band of Delawares who had established themselves in the thickets near the mouth of White river continued to annoy the white settlers after they had made peace. Clark sent his rangers against them with instructions to destroy them. In vain the hapless Delawares sued for peace. The rangers tracked them down, sparing only the women and children. The other nearby tribes were treated so fearlessly and justly by Clark that they never afterward opposed him. It was decided to make the Falls the base of military operations in the west, and thither Clark repaired in the autumn of 1779. He was made a brigadier general and placed in command of all the western militia. His position here gave a sense of security to the frontier, and thousands of settlers poured into Kentucky, many even continuing on to the Wabash and Illinois countries.

While Clark was busy on the lower Ohio the British were directing war parties against eastern Kentucky and western Virginia. In order to check these John Bowman, the county lieutenant of Kentucky, collected 160 Kentuckians in May, 1779, and surprised the Indians in the Chillicothe towns. The Indian town was

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burned but the Indians, regaining their courage, rallied in and around a blockhouse that had been defended against the fire and drove the Kentuckians away. The discomfited whites retreated slowly. The Indians had the best of the attack but the loss of their town and the show of such force was a great shock to them. The Kentuckians had eight or ten men killed and two wounded and the Indians lost an equal number. The Kentuckians were much chagrined over their defeat, but judged by its results, it was most fortunate. The partisan captain, Henry Bird, was at one of the Mingo towns nearby, where he had succeeded in raising and arming a formidable war party to attack the settlement. When news of the assault of Bowman reached them, his Indians fled in a panic and the expedition broke up. But Bird was not to be baffled.

On June 22, 1780, there appeared before Ruddle's Station, a small stockade on the south fork of Licking, in the center almost of the wilderness of Kentucky, an army of Canadians and Indians numbering over 700 Indians and near 200 rangers, flying the English flag and supported by artillery. Such a sight had not been seen in Kentucky and we can hardly blame the little station for surrendering at discretion. This army had been raised by DePeyster and was in command of Captain Bird.

Henry Bird was then a captain in the Eighth or King's Regiment of regulars. With him on this expedition went the three Girty Brothers, loyalists of Pittsburg, and Captain McKee, the royal Indian agent. DePeyster had sent a strong body of Indians down the Wabash to take Vincennes and join Bird in an attack on Clark at the Falls. Bird had been ordered to attack Clark, but when he reached the Ohio river his Indian chiefs forced him to attack the smaller stations. They had a wholesome dread of Clark.

It was said that this was a part of the magnificent

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army of 1,500 Indians summoned to co-operate with Hamilton the year before. Detroit had been a beehive of industry during the preceding winter. The commander at Quebec complained of the enormous amount of supplies and especially of the whiskey consumed. Forgetful of his intention, the tory commander having taken the little posts, Ruddles and Martins, on the Licking, fled precipitately to Canada, abandoning his guns at the Indian towns in Ohio and killing most of his prisoners, of whom he took nearly 300.

In the early months of 1780 General Clark was down at the mouth of the Ohio, where he established Fort Jefferson to protect the commerce with the Spanish on the Mississippi, and also to strengthen his claim to the whole east bank of that river. In May, with all the troops he could spare, he had returned through the forest to the settlements at Harrodsburg, Kentucky. The overwhelming force of the Indian attack had spread consternation among the settlers and many were tempted to return east of the mountains. Clark sent a guard to the Crab Orchard to intercept all those who attempted to leave by the Wilderness Road. Then closing the land office at Harrodsburg he drafted an army to go against the Indians.

These men were to meet at the mouth of the Licking, opposite Cincinnati. Capt. Benjamin Logan was second in command and looked after the men drafted, while Clark proceeded to Louisville and led his men from that garrison. The latter went up the river in light boats, while the horsemen rode as near the bank as possible. The settlers turned out almost to a man, the riflemen floating down the Licking on rafts or in canoes. There was little in the way of provisions, every man carrying his own supply. On August 2, Clark ferried his men across the Ohio and plunged into the wilderness of Ohio. Old Chillicothe lay full sixty

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miles to the north, and thither he led his men with accustomed swiftness and silence. At night, to avoid surprise, the troops camped in a large square. Chillicothe was deserted when the army reached it. After burning it they hastened on to Piqua, on Mad river, which they reached at ten on the morning of August 8. Piqua, or Pickaway, was built of log huts in the French fashion. They stood apart from each other facing the stream and separated by strips of cornland. In the center stood a considerable block-house, loop-holed for muskets. Clark divided his army, sending half, under Logan, around to cross the stream and gain the rear of the villages and cut off retreat, while he himself led half the troops directly across and drove the Indians from the town. Logan failed to cross the river and the Indians escaped, the 200 warriors, with their families, fleeing for safety. As soon as the latter had reached the cover of the woods, the warriors turned and faced the whites, gradually yielding, however, to superior numbers. For two hours this skirmish was kept up, when the Kentuckians returned toward the town, halting half an hour, when nearly there, for Logan to come up. As they returned Captain McAfee was killed by an Indian secreted in a tree top. This Indian was immediately shot, but it was soon found that a large body of warriors had slipped back and taken possession of the blockhouse. In the fighting here each side suffered. The Indians were finally dislodged and retreated under shelter of the river bank, barely escaping Logan, who had finally crossed the river and marched down. Clark lost seventeen men and the Indians about the same number.

After all the Indian property was destroyed, Captain Logan was sent to attack a neighboring village, twenty miles away, which he destroyed, together with a store belonging to British and French traders. The

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army then hastened home, having spent only twenty-five days on the campaign.[2]

It was generally believed throughout the west that the French in Detroit were as friendly toward the Americans as those of the Illinois Country had been. The Americans felt that if a sufficient force could be quickly and quietly marched through the Indian country without rousing them the fort could be taken. There was at this time a Frenchman in the Illinois Country named LaBalme. He had come to America in 1776 and had served as inspector general of cavalry in the Continental Army. He was chosen for the attempt on Detroit because it was thought he would have great influence with his countrymen at Detroit and in Illinois. Ambitious to duplicate the achievements of Clark, he raised a company of seventy or eighty creoles in Illinois and on the Wabash in the fall of 1780 and hastened up the Wabash. The Indians, cowed by the punishment so recently inflicted by Clark, no doubt would not have interfered with LaBalme's march had he proceeded directly to his work. But his control over the creoles, many of whom were traders and bush rangers, was slight and the stores of the British traders at the site of Fort Wayne tempted his men to plunder. While engaged in plundering, a large force of Indians under Little Turtle fell upon the camp of the invaders by night, in early November, and killed about half the party, including the captain, and scattered the rest to the woods. Had LaBalme marched directly, without molesting the traders on whom the Indians depended for supplies, his chances were favorable for success.[3]

[2] The documentary history of these Indian campaigns is in the *George Rogers Clark Papers*. This should be supplemented by Jefferson's letters, given in his works; by Henry's *Life of Henry;* and by Butterfield's *History of the Girtys*. The Haldimand Papers contain the documents on the British side. Butler's *History of Kentucky* is the best of the old books on this period.

[3] John Todd Papers, *Fergus Historical Series*, No. 33, 207, note.

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Early in the war Virginians had opened up commercial connections with the Spanish at New Orleans. Communications had been kept open and nearly all the ammunition used in the western campaign had come from Spanish merchants. An agent of Virginia stationed at New Orleans furnished Clark with money for his Illinois garrisons. When Clark was in Illinois he had also exchanged civilities with the Spanish commanders at St. Louis and St. Genevieve. But he soon came to distrust them, believing that they would be pleased to see the British regain the Illinois so that they might in turn drive the British out and thus hold the whole western country for Spain at the close of the war, which all saw was fast approaching. With this design of the Spaniards the French seemed in full sympathy. It was their hope to limit the Americans to the country east of the crest of the mountains. If not held for the Spanish Crown the Northwest at least would serve as a makeweight in the treaty for the cession of Gibraltar.

A Spanish general named Bernardi de Galvez, with a force of creoles, both French and Spaniards, captured the posts on the middle river—Baton Rouge and Natchez—and then marched on Mobile and Pensacola. The commander of St. Louis joined in the work early in 1781. On January 2, Don Pierro, the commandant, led a party of 100 nondescript Spaniards, Indians and French creoles from St. Louis against the post of St. Joseph on the St. Joseph river of Lake Michigan. He met with no opposition but was afraid to garrison the post after he had robbed the British fur-traders and burned their huts. Like the plunderer he was, he retreated faster than he had advanced. Insignificant as the raid was, Spain laid claim to the whole territory northwest of the Ohio on the strength of it.

Since the capture of Vincennes, Clark had kept in mind his intention to take Detroit. At a council of

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war, held at the Falls in 1779, he had discussed it with his fellow officers, but the establishment of Fort Jefferson, the invasion by Bird, and the expedition against the Piqua town, had occupied him for over a year. He hastened to Virginia as soon as he could leave Kentucky, to perfect his arrangements and raise troops. He found Virginia in great distress over the invasion of Arnold, and at once joined the army to drive out the traitor.

Jefferson had already expressed his approval of the plan to capture Detroit and had enlisted the co-operation of Washington, who directed Col. Daniel Brodhead, commanding at Fort Pitt, to furnish Clark with supplies and a battalion of regular troops. Everything seemed in a good way till he began to recruit soldiers. It was then learned that everybody was worn out with the long war. From Frederick, Berkeley and Hampshire counties the lieutenants reported troops unable to move on account of lack of supplies. In some cases there was open mutiny. Colonel Brodhead refused the detachment of regulars. Clark had hoped to leave Pittsburg by June 15, 1781, but he had to depart much later with only 400 men. By August 4 he was at Wheeling, having given up all hope of a campaign against Detroit, though he still had hopes of punishing the Indians.

In connection with this attempt on Detroit there occurred the greatest disaster sustained in the West during the war. Col. Archibald Lochry raised 107 men in Westmoreland county, Pennsylvania, and started with them to join Clark. They reached Wheeling August 8. Clark had waited for them five days, but his men growing restless and deserting, he had gone on leaving Lochry and his band to follow. Twenty or thirty miles below, Clark waited again, and again had to go and leave them behind. His troops were desert-

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ing so fast he did not dare wait any longer. Lochry followed, but, despairing of overtaking Clark with his whole force, he sent Lieutenant Shannon with seven men ahead to let Clark know he was coming.

These seven men were taken by the Indians and with them the letter of Lochry to Clark, detailing the condition and number of all Clark's forces, including those under Lochry.

There was great excitement, not only at Detroit but among the savages of Ohio, when it was learned Clark was gathering an army. DePeyster hastily gathered together the frightened Indians and sent them, together with one hundred of Butler's rangers under partisan commanders, to ward off the intended blow against Detroit. It was a part of this Indian army led by the Iroquois, Joseph Brant, and the Pittsburg refugee, George Girty, that captured Lieutenant Shannon and immediately laid an ambuscade for Lochry's company. A spot was selected about eleven miles below the mouth of the big Miami where Lochry creek joins the Ohio. There the Ohio was very narrow. A bar at low water ran almost across the river. Unfortunately the Americans decided to land on this bar for some purpose or other, about 10 o'clock of August 24, 1781, thus walking directly into the ambuscade. The whole party was killed or captured. Some of the prisoners were killed, Colonel Lochry being of this number, and the rest were taken to Detroit, whence sixty finally reached home. The Indians, joined by the other tribes and led by the British Indian agent, Alexander McKee, followed on down to within thirty miles of the Falls, but, although they numbered near 1,000 men, they made no attack. As soon as they learned that Clark had abandoned all hope of an offensive campaign they separated, a large band of Wyandots and

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Miamis under McKee and Brant going into Kentucky on a marauding expedition.[4]

The year 1782 saw the last of the Revolutionary struggle between the English and Americans in the northwest, saw the most bloodshed of any year on the frontier, and saw the deepest gloom settle down over Kentucky. The agents of the British roused the Indians to frenzy by telling them that the Americans were preparing to drive them into Canada. The actions of the American troops on the border seemed to the Indians to confirm this. The year had scarcely begun when Col. David Williamson, with a company of Pennsylvania militia, on the track of a marauding band of Wyandots and Moravians, came to the Moravian towns on the Tuscarawas river, and, finding some of the bloodstained clothing of their murdered friends on the backs of these so-called peaceful Indians, they massacred every Indian they could get their hands on. The militia have been severely condemned for this bloody deed, but they did only what most men would have done under the circumstances.

Hardly had this unfortunate blow blotted out the Moravian tribe when, on June 4, Col. William Crawford appeared among the Upper Sandusky towns. The fact that Crawford was killed and his regiment driven back did not quiet the natives. Their scouts brought reports that Gen. William Irvine at Fort Pitt was collecting a powerful army of regulars to invade the

[4] For a popular and fairly accurate account of the principal events of this period, in the history of the West, see James R. Albach, *Annals of the West.* Mann Butler, *History of Kentucky* is valuable, being written from first hand evidence. A detailed account of Lochry's Defeat, by Charles Martindale, is published in Vol. II, *Publications Indiana Historical Society;* D. V. Culley, in Lawrenceburg *Palladium*, May 15, 1830, tells the story as he had it from Patrick Hunter, one of the captives, living in 1830 near Corydon; see also *Life of Joseph Brant*, and Butterfield, *History of the Girtys.*

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Miami country. The Indians gathered in great numbers at the Shawnee town of Wapatomica in central Ohio, where, at their own urgent request, they were joined by Capt. William Caldwell of the British rangers. After the usual round of inflammatory speeches they decided to march on Wheeling under the lead of Captain Caldwell. Hardly had Caldwell started when a report reached Detroit that Clark was preparing for a campaign. Such was the fear of both British and Indians for that leader that the expedition against Wheeling was recalled and the Indian agents of Detroit were sent in haste in all directions to call in the warriors. Shawnees, Delawares, Wyandots, Mingoes, Munceys, Ottawas, Chippewas and Miamis hastened to the rendezvous at the Piqua Plains. Had the hero of the Illinois led his Kentuckians into the Scioto country then he would have found the Indians at home to receive him. Alexander McKee, the Indian agent, said it was the largest force of Indians that had been collected in the Northwest up to that time. Only imminent danger could keep an Indian army together and when scouts from the Falls reported that the alarm was false this army melted away in a day. Of the 1,400 assembled, Captain Caldwell was able to persuade only 300 to go with him on a raid into Kentucky. It was this band that laid siege to Bryant's Station and a few days later, August 19, 1782, administered the disastrous repulse to the Kentucky militia at Blue Licks. Attacks were made about the same time on Rice's Fort, Fort Henry, and Wheeling, but the Indians had no skill in capturing fortified posts.[5]

[5] For this period there is no better history than Consul W. Butterfield's *History of the Girtys.* See also Roosevelt, *Winning the West;* McClung, *Sketches of Western Adventure.* The best sources are the Haldimand Papers; Pennsylvania *Archives;* Heckewelder's *Narrative;* and the *Michigan Historical and Pioneer Collections.*

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During the latter part of August, Colonel De Peyster at Detroit was warned that peace was at hand and to stop hostilities. Scouts were dispatched to the rangers acting with the Indians. Had these been a few days earlier the loss at Blue Licks would have been avoided. As it was the Indians had roused their dreaded enemy at the Falls and now were left leaderless to bear his vengeance. The call of Clark had awakened the settlers to their old-time courage, and under the inspiration of his fame 1,050 settlers assembled at the mouth of the Licking opposite Cincinnati to punish the invaders. He crossed the Ohio November 4, and in six days was among the Miami towns. The Indians had barely time to scatter to the woods, warned only by the alarm cry. A score of tribesmen were killed or captured and all their towns burned. Thinking themselves secure, the Indians had gathered here their winter's supply of corn and beans, all of which was lost. The blow was especially severe to the women and children. One can only pity them in their privations as they faced the winter without food or shelter in the inhospitable wilderness. Nor should one at the same time forget the women and children left defenseless by the dastardly crimes of the warriors on the frontier. Without appearing to condone the deeds of the Indians, whose very savagery is a sort of excuse for their unspeakable atrocity, the reader is reminded at every turn of this border warfare that the British were more guilty than the Indians. British captains in scarlet uniform led the savage warriors in battle or stood by and saw them commit on their white prisoners cruelties not paralleled in history during the Christian era.

The capture of Cornwallis, it was evident to all, would end the war between England and her former colonies and insure American independence. As noted above, the British commanders soon after this event

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called in their forces. Provisional articles of peace were arranged on the last day of November, 1782, and the declaration was read at the head of the armies on the anniversary of the Battle of Lexington.

The treaty was finally signed September 3, 1783. The boundary was laid down through the middle of Lake Erie, through Detroit river, Lake Superior, Long Lake, Lake of the Woods, thence due west to the Mississippi river and down the middle of that stream to the thirty-first degree of latitude. Thanks to the peace commissioners the work of the Virginia pioneers had not been in vain. They had added to the United States a territory nearly as large as the original colonies. Much has been said concerning what might have happened but for Clark's conquest. The territory north of the Ohio at the beginning of the war was a part of Canada by the Quebec Act, and, had British armies held it to the close of the war, it would no doubt have remained a part of that province. It was not a defense by the Virginians of their own territory but was essentially a foreign conquest. Since 1783 England has yielded very little territory to any power, and it is all but certain she would never have ceded this to the United States.

She did not give up a single fort on account of the treaty and continued to hold Oswego, Niagara, Presque Isle, Sandusky, Detroit, Michillimacinac and Prairie du Chien, in the ceded territory, plague spots to the western settlements. Had England delivered up these posts, the two nations would have been spared the expense and humiliation of a second war twenty-nine years later.

## § 18 The Indians Become the Wards of the United States

With the signing of the treaty, September 3, 1783, there devolved on the national government the care of

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the Indians living on the national domain. Up to this time the Indian problem had been one purely of frontier defense. But an enlightened nation could not wantonly destroy these simple folks. By the laws of warfare they had forfeited all rights to their land and almost to their lives; yet Congress had no idea of punishing them. It was necessary to adopt an Indian policy and organize a department of government to carry it out. Two of the leading principles incorporated in the Indian policy were the recognition of the tribal governments, and the recognition of the Indian ownership of the land.[6] After the long struggle of the pioneers was ended, as they thought, in 1783, the government recognized the Indian title as complete to all the Northwest territory. Not a settler could legally go into that region. The men who went to treat with the tribes were given the same official title as those who went to treat with other foreign nations. Though ownership of the land was recognized in the tribes, they were not allowed to sell it to any other nation, nor were they allowed to sell it even to American settlers. If the Indians so desired, and the government lost no opportunity for creating such a desire, they might sell to the United States. It is to the credit of the nation that it always paid the Indians fair prices for their lands, more, in many cases, than it received from the settlers after the expense of surveying was paid. Those tribes that behaved themselves became wealthy and were fostered far more than their conduct deserved.

An ordinance for the regulation of Indian Affairs passed the Old Congress August 7, 1786.[7] By this the Indian country was divided into two departments, a

[6] This principle is stated clearly in 8 *Wheaton's Reports*, 543. The opinion is by Chief Justice Marshall. The substance of the decision is given in the introduction to Vol VII, *United States Statutes at Large*. The case in question involved a sale of land by the Illinois and Piankeshaw Indians.

[7] *American State Papers, Indian Affairs*, I, 14.

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northern and a southern, the Ohio river being the dividing line. For each of these a superintendent of Indian Affairs was appointed. He held his office for a term of two years and was to reside among the Indians if possible. The northern superintendent had two deputies who had the care and custody of all goods intended for the Indians. The superintendent licensed all traders and supervised them in their business. The traders had to be citizens of the United States, bear an unquestioned reputation for morality certified to by the governor of the State in which they lived, and then pay $50 each annually before a license was issued. It was the hope of Congress to attract good men into this work, but the majority of the early traders were refugee criminals, seeking a field where their criminal propensities might have freer range. Traders were put under heavy bonds. Officers of the army and Indian agents were forbidden to trade with Indians on their own account. Finally, no white person was allowed to travel among them without regular passports, signed by the Indian agents. One wonders after reading this why the Americans were so indignant at the Proclamation of King George in 1763, after which this ordinance of 1786 was to some extent fashioned.

The most troublesome business of the Indian commissioners was the definition of the Indian boundary. There were several reasons why an amicable adjustment of the boundary question was difficult. The national government was sorely in need of money and the sale of public lands offered the most available source of immediate revenue. Before any of the national land could be surveyed and sold the Indian title had to be extinguished. The settlers themselves were just as eager to buy as the nation was to sell. They were not always observant of the Indian claims, and failing to buy the land they became squatters. Worst of all were the English soldiers and traders at the northwestern

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posts. The traders were anxious to push the Indian boundary far to the eastward and southward, so that the field for the fur trade might be as large as possible. Many of the English fur traders and English Indian agents were refugee loyalists and the bitterest enemies of the Americans. Every act of the American government was misinterpreted by them for the Indians. Last of all the Indians themselves were apprehensive. They had been crowded steadily westward by the whites till they had become so thoroughly suspicious of every move of the Americans that it was with difficulty they could be induced to hold a council.

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## CHAPTER V

### INDIAN WARS

### § 19 The Struggle for the Ohio River Boundary

The first attempt to define the Indian boundary line was made in the summer of 1784 when Oliver Wolcott, Richard Butler and Arthur Lee met the Senecas, Mohawks, Onondagas, Oneidas, Tuscaroras, and Cayugas at Fort Stanwix, New York.[1] These six Indian nations, it will be remembered, claimed all the land west of the Alleghanies. The commissioners acknowledged, at this time, the Ohio river as the boundary line.

The Americans determined to follow this up and make treaties with the northwestern tribes. The latter tribes had never ceased harassing the western settlements. Since their English leaders had been recalled they had not crossed the Ohio in formidable bodies, but small parties of ten or twenty continually hovered on the border to steal, rob and murder. To protect the advance guards of settlement, Congress decided by resolution of June 3, 1784, to equip a western regiment, to be known as the First American. It was placed under the command of Lieut.-Col. Josiah Harmar with headquarters at Fort Pitt. A general Indian council was to be held there under the protection of this regiment. Accordingly messengers were sent to all the

[1] *Treaties Between the United States and the Indian Tribes*, edited by Richard Peters, Boston, 1848. This is volume VII, *Statutes at Large of United States*. All Indian treaties from 1789 to 1845 are printed in this volume. No further reference on Indian treaties will be given.

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tribes inviting them to meet at Pittsburgh in December, 1784. The troops and the three commissioners, Arthur Lee, Richard Butler, and George Rogers Clark, did not arrive at Pittsburgh till December 5, when, on account of the lateness of the season, it was decided to hold the council nearer the Indian country. The troops were accordingly marched to Fort McIntosh, thirty miles down the Ohio. Here, January 21, 1785, a treaty was signed by the Wyandot, Chippewa, Delaware and the Ottawa sachems. By its terms the boundaries were fixed as the Cuyahoga river from its mouth at Lake Erie to its source, thence west to the Big Miami and down that stream to the Ohio river and west with the Ohio.

The council at Fort McIntosh was not attended by all the tribes that were invited, several being detained by the British Indian agents. It had been the custom during the later years of the Revolutionary War for the Indians to congregate in large numbers around the trading places of the English on the Maumee. This custom having been kept up after 1783, the traders now took advantage of it to persuade many of the Indians to stay away from the council at Fort McIntosh. After the treaty was signed, they began at once to denounce it. The Indians were told that they would find no resting place till the Americans had driven them beyond the Mississippi. The Canadian winters of the north and the fierce Sioux of the west made the prospect in either case unpleasant. The Shawnees and Miamis were not represented at the council, but they soon afterward manifested a desire to make peace.

Acting on this information, Congress sent Richard Butler, George Rogers Clark and Judge Samuel H. Parsons to hold a council. Capt. Walter Finney[2] was instructed to build a fort at the mouth of the Big Miami

[2] Heitman, *Historical Register Officers of Continental Army*, 175.

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and here the council met in the winter of 1785-6.[3] Fearing the growing influence of the Americans, and their councils of peace on the Indians, the British traders and agents had held a council with all the tribes of Ohio and Indiana at the Delaware town of New Coshocton. As a result of these intrigues of the traders not many Indians attended at Fort Finney, and when articles of peace were finally concluded January 21, 1786, only a few young Shawnee chiefs signed. By the terms of the treaty, the Indians were allotted lands lying north of a line joining the headwaters of the Big Miami and the Wabash.

A small band of Cherokees living on the Scioto river were the firebrands that brought on the second Indian war on the northwest frontier, if it is worth while to distinguish the different parts of one long, continuous struggle which began with the coming of English agents to Detroit and continued until the English garrisons were driven out of the country. The Cherokees having killed a number of squatters on the Scioto, were so enraged by the taste of blood that they crossed over into Kentucky and committed several murders. The Kentuckians called for protection on the governor of Virginia, who immediately notified Congress. The latter promptly ordered Col. Josiah Harmar[4] to station two companies at Fort Steuben, now Jeffersonville, Indiana, and to call on the Kentucky militia for more troops if needed.

This military activity, and the former acts of Congress directing the Indian commissioners to secure large cessions of the Indian lands, when explained to the Indians by English traders, caused the Wabash tribes to join the Shawnees and Cherokees. Their ac-

[3] A graphic description of this council is given in the *Western Sun*, Vincennes, October 28, 1820, written by "An Old Army Officer" who was present at the council.

[4] Heitman, *Historical Register Officers of Continental Army*, 209.

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tion was perhaps determined upon at a grand council of the tribes held at Ouiatanon late in the fall of 1785. A chief, sent by this council, notified the French at Vincennes that the Indians had decided to make war on the Americans, and that if the French remained at Vincennes they would also be killed. Nearly all the out-settlers around Vincennes were driven in or killed. Those who had attempted to settle on Clark's Grant were driven off, and travel on the Ohio and Wabash became extremely hazardous.[5]

Acting on the suggestion of Congress, the Kentucky militia to the number of 1,500 was called out. One thousand of these under the command of Gen. George Rogers Clark were directed to protect Vincennes and invade the Indian country up the Wabash. The troops rendezvoused at the Falls in the summer of 1786, and thence marched overland to Vincennes.[6] Their supplies, in nine keel boats, were sent down the Ohio and up the Wabash. The army reached Vincennes about October 1, but, on account of low water in the Wabash, the supplies did not reach them until nine days later; when they did arrive nearly all were spoiled. A spirit of mutiny in the meantime manifested itself in the army. Whether due to inactivity, to the loss of the supplies and consequent low rations, or to the intemperance of the commander, is not known. At any rate, after moving up to the Vermilion towns and finding them vacated, General Clark did not deem it prudent to proceed farther with such troops and marched them back to Vincennes, where he disbanded them. This was the first of a series of mutinies that disgraced the Kentucky militia and twice brought disaster to the national arms.[7]

[5] *American State Papers, Indian Affairs* (index).

[6] Dillon, *History of Indiana*, 187; *Secret Journals of Congress*, IV, 311.

[7] Dillon, *History of Indiana*, 185.

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While his army lay at Fort Steuben waiting for supplies, General Clark ordered Col. Benjamin Logan back to Kentucky to raise a force and attack the Shawnees, while their attention was attracted by Clark to the Wabash. That intrepid officer found no difficulty in enlisting 500 mounted riflemen. With these he crossed the Ohio where Maysville now stands and by forced marches hurried to the Shawnee towns on the head branches of Mad river. A deserter from his army gave timely warning to the towns, enabling most of the Indians to escape. Colonel Logan burned eight towns, destroyed their corn just then ready to harvest, took seventy or eighty prisoners and killed twenty warriors. The raid, which was considered a great success, tended to arouse the spirit of the Kentuckians after the disgrace on the Wabash.

As soon as General Clark returned to Vincennes after his unfortunate invasion of the Vermilion towns, he called a meeting of the field officers of the army, October 8, 1786, at which it was decided to establish a permanent garrison at Vincennes. It was hoped that this would prevent any large body of savages leaving their homes to invade Kentucky. For this garrison it was thought one field officer and 250 men would be sufficient. To these were to be added an artillery company under Capt. Valentine Dalton. General Clark assumed the lead and began to enlist men, appoint officers, and seize goods for the support of the garrison. The lawless mob thus gathered kept up the pretense of a garrison until they had, under color of law, plundered nearly all the citizens of the village, and had openly robbed the stores of some resident Spaniards.[8]

It was also decided by this hastily constituted board

[8] Charges were preferred against Clark, and the State of Virginia ordered an investigation. The report and the papers are given in *Secret Journals of Congress, Foreign Affairs*, IV, 301; Butler, *History of Kentucky*, ch. 9.

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of field officers to make another attempt to get the Indians into council. Carrying out this resolution, General Clark sent letters to all the tribes inviting them to meet him at Clarksville for a council, November 20, 1786. Quite a number of chiefs answered this invitation, but all insisted on holding the council at Vincennes instead of Clarksville. Accepting the suggestion, General Clark changed the time and place to Vincennes, in April, 1787.

The work of General Clark was disavowed by Virginia, whereupon Congress ordered Gen. Josiah Harmar to proceed to Vincennes and dispossess the disorderly garrison. In the meantime, the superintendent of Indian affairs was directed to meet the Indians at the appointed time. However, after trying in vain all summer and during a large part of the year 1788, it was found impossible to get the Indians to attend. The English hold could not be broken.

General Harmar was instructed to dispose his regiment so as to protect the frontier. On an average one boatload of settlers passed the mouth of the Muskingum river, where Harmar was stationed, every day. Nothing was better calculated to arouse the Indians than this steady stream of immigrants. Harmar prepared at once to visit the posts to the west and establish garrisons. The Indian council summoned by Clark was called off, and Harmar soon afterwards learned that the irregular troops at Vincennes under Captain Dalton had been disbanded; so he floated leisurely down the Ohio, reaching the Falls in June, 1787, on his way to Vincennes. Hardly had he left the upper Ohio when he was warned that the Delawares and Wyandots were in arms.

General Harmar's orders were to march overland from the Falls, but after collecting supplies and investigating means of transportation he decided to go by boat, and drive his cattle up along the bank of the

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Wabash from its mouth to Vincennes. On July 6 the advance of the little army under Capt. David Zeigler[9] set off down the river with a fleet of light boats containing three months' provisions for 300 men. They were ordered to land at Buffalo creek and march overland, driving the cattle and eighteen horses. Harmar also wrote Col. J. M. P. Legras and Maj. Francis Bosseron at Vincennes apprising them of the nature of this expedition, and asking them to reassure the Indians. But some British traders operating on the Wabash a short distance above Vincennes also heard of the approach of Harmar, and, no doubt, lost little time in explaining it to their dusky customers. When the expedition reached Delaware Old Town, eight miles above the mouth of Green river, the troops disembarked, leaving Maj. John F. Hamtramck[10] to continue by the river. The troops plunged into the wilderness and marched due north, reaching White river fifteen miles below its forks in five days. The first part of this journey of seventy miles, they reported, was through swampy, boggy lands, but most of the way was through fine, open, upland forests, interspersed with meadows or prairies. The land, they thought, would be a farmer's delight. In fact, one reason for wishing to march overland was to report on the quality of the land to Judge John Cleve Symmes, who was about to lose his lands in Ohio, and was contemplating locating farther down, perhaps on the Wabash.

Vincennes they found to be a considerable village of 400 houses, log and bark, with a population of 900 French and 400 Americans. Most of the Americans had come since Clark's invasion, a large part being militia from the lately disbanded army.[11]

[9] Heitman, *Historical Register Officers of Continental Army*, 448.

[10] Heitman, *Historical Register Officers of Continental Army*, 207.

[11] *St. Clair Papers*, II, 23-26.

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Major Hamtramck arrived at Vincennes eight days later than Harmar, having been attacked on the way up the Wabash, and having lost a few of his men killed and some captured.

After an extended visit to the Illinois posts, on which he retraveled the path of Colonel Clark's army eleven years before, Harmar returned to Vincennes to meet the Weas and the Upper Piankeshaws in council. Only a few of these small tribes attended and no negotiations looking toward a general peace were begun. After a liberal distribution of presents, including plenty of whiskey, of which Harmar says "they were amazing fond," the Indians were dismissed to their homes and the American commander turned his attention to the proper disposition of his little army in order to furnish the best protection for the frontier during the approaching winter.

A cordon of little forts had been built from Presque Isle to Kaskaskia, over on the Mississippi. It was obviously impossible to garrison these with one regiment of about 500 men. In place of this, General Harmar decided to leave a small battalion of ninety-five men under Major Hamtramck at Vincennes with orders to build a fort, to be named Fort Knox[12] when completed, and to take the rest over on the Ohio where they would be in striking distance of any threatened point. Having determined on this, Harmar left Vincennes October 1, and, following Clark's Trace, reached the Falls in six days, a march of 130 miles. The country, he observed, was hilly, but would be excellent for wheat. He left Captains Walter Finney and John Mercer[13] at the Falls—Fort Steuben—and, on October

[12] Located on a bluff overlooking the Wabash, about two miles above Vincennes. See Map of Illinois, by John Melish, 1818.

[13] Heitman, *Historical Register Officers Continental Army*, 291.

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THE OHIO VALLEY

From Joseph Scott's *Gazetteer*, 1795

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28, he continued his voyage up the Ohio to winter quarters at the Muskingum.[14]

Everything now waited on the new government of the Northwest Territory, which was duly organized early in the year 1788. The governor, Gen. Arthur St. Clair, was a veteran of the Revolution who, the pioneers thought, would soon restore peace and order to the distracted border. The Secretary of Congress delivered him a carefully drawn set of instructions for the government of this, the first American colony.

A glance at his instructions will show that the Indian question was the storm center in western politics. He was to examine with care the temper of the Indians; was to remove causes of possible controversy and restore peace; was to defend the boundaries laid down at previous treaties unless he could make better ones; was to seek out head men, and win them over with gifts; and finally he was to break up all confederacies and combinations by lavish gifts to the tribesmen themselves, for which Congress set aside $26,000; always keeping in mind the acquisition of as much territory from them as he could.

St. Clair did not find the practice of Indian diplomacy as easy as the theory. The mere mention of a land cession was enough to break up a council. He sent out invitations to all the tribes to meet him, arranged all the preliminaries, had his presents ready to distribute, but the Indians came not. Out of deference to those Indians who had sent a friendly message to Congress, this meeting had been appointed for the Falls of the Muskingum, about seventy miles up that river. On second thought it had been decided to hold it under the protection of Fort Harmar. The Indians, as usual, met on the Maumee to confer with the English agents, but the desire for peace prevailed and all started for the treaty ground on the Muskingum. For some un-

[14] *St. Clair Papers*, II, 33.

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known reason the main body never arrived. It was said that they met, on the way, a messenger from the governor who made known to them that the governor had no power to restore the Ohio river boundary line, and that they forthwith resolved on war. This report may be true as to the Wabash Indians, but a few of the Wyandots and Iroquois attended, and, on January 9, 1789, signed what is known as the Treaty of Fort Harmar. The substance of this was merely a reaffirmation of previous treaties. Only a few of the warlike tribes attended, and St. Clair was not slow to make up his mind that war was the only means of restoring peace. Neither was evidence lacking or misunderstood as to the part the English were playing; but the government was in no position to take up that question, and meanwhile the western agents had to bear the impertinence of the English with what grace they could.[15]

During all these negotiations Governor St. Clair had been preparing for the last resort. He wrote the Secretary of War, September 14, that all the northwestern Indians were hostile and suggested a plan to reduce them. This plan consisted in sending a number of expeditions that would strike the Indian towns at the same time; a column of 1,000 men could, he suggested, reach the Wea towns in 150 miles from Clarksville; a column of 1,400 men and two guns could reach the Miami towns (Fort Wayne) from the mouth of the Little Miami in 200 miles; a column of 1,000 men could strike the Cuyahoga towns from Beaver creek in ninety miles; and a column of 500 men could destroy the Vermilion towns from Vincennes in ninety miles. John F. Hamtramck, Josiah Harmar, John Wyllys, and John Doughty, were suggested as capable leaders.[16] The request for two guns for the expedition against the

[15] *St. Clair Papers*, II, 101, 105.

[16] All had been officers in the Continental Army, Heitman, *Historical Register Officers of Continental Army* (index).

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Miami towns is significant. The British had constructed a fort for the Indians on the Maumee, and St. Clair was expecting what Wayne actually found five years later.[17]

During the year 1789, the Wabash valley was like a hive of angry bees. No large war parties were organized, but small bands of young warriors, five to twenty in a band, ranged the settlements from Pittsburgh to Kaskaskia. They vied with each other in the cruelty they could inflict. Some hung around the remote settlements, where they contented themselves with stealing horses; others in a spirit of deviltry penetrated 100 miles into the settlements to burn and murder. Some of their prisoners they carried to Detroit and sold for ransom, others they treated to unspeakable brutalities, and at last tortured to death at the stake. There is a tradition that a secret society or fraternity of Miami warriors of approved courage and cunning met at stated intervals at the site of Fort Wayne, and included in the program of every such entertainment the burning of at least one captive, and in its banquet the eating of his flesh.[18]

The government, especially President Washington, was reluctant to go to war. Though hostilities had never ceased since the Revolution, the older Indian chiefs kept sending word that they had buried the hatchet. Indian councils, directed by English agents and American renegades, resolved on peace, and deplored, in language meant for the government ear, the lawless acts of the young bucks. One who reads the negotiations of these bloody years cannot escape the evidence of Indian or British duplicity.

The white men were no doubt often too aggressive. Members of Congress as well as Washington pointed out that the Indians were the ancient owners of the

[17] *St. Clair Papers*, II, 89.
[18] *American State Papers, Indian Affairs*, I, 58.

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soil to which they still had a just title. If it was intended that the Mississippi valley should be a hunting preserve for a few savages without hope of progress, then the Americans were wholly wrong. But if it was intended that it should be the home of a powerful nation, the seat of the highest civilization, then it was high time our ancestors were entering into their homes and going about their work.

The Kentuckians did not bear these savage hostilities tamely. A raid was planned for the Wabash towns, but resulted in nothing more than the destruction of the villages of a few half-friendly Piankeshaws on the lower Wabash. The little garrisons of regular troops could do nothing to protect the settlers from the roving bands of savages.

There were other circumstances that caused the government much anxiety at this time for its western territories. Sir Guy Carleton, later Lord Dorchester, was playing high stakes for the recovery of the whole Northwest. He was the instigator of the English Indian policy, and now, hearing that the Kentuckians were chafing at the restraints placed upon them by the general government, and at the same time left unprotected, sent the infamous Dr. John Conolly, a loyalist refugee,[19] among the Kentuckians to promise them protection from the Indians and the free navigation of the Mississippi, if they would declare their independence. But the memory of Sir Guy Carleton and his conduct was too strong.

About this same time the Spanish commandant at St. Louis sent a letter to the creoles at Vincennes inviting them to settle on the west side of the Mississippi, where he would give them free land and the free navigation of the river to New Orleans. Major Hamtramck intercepted one messenger before he could de-

[19] Sabine, *American Loyalists of the Revolution*, I, 331.

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liver his letter, but he did not know how many had escaped him.[20]

Realizing by the close of 1789 that the treaty of Fort Harmar and the distribution of gifts made at that time were not going to pacify the tribes, St. Clair determined to visit the western country, and try once more to get the Indians to meet him in a general council at Fort Knox. He set out from Marietta about New Year, and reached the Falls at Clarksville January 8, having stopped at Cincinnati long enough to lay off Hamilton county and name Cincinnati. He remained at Fort Steuben (Clarksville) nearly a month, appointed some civil officers, ordered a boatload of corn to be sent to the starving people at Vincennes, composed a long letter to the Wabash Indians, and sent it to Major Hamtramck, by whom it was to be forwarded by a trusty interpreter to the tribes.[21]

From the Falls St. Clair continued his voyage to Kaskaskia. He found the people of that country in the last stages of distress. The coming of the Virginians had been a plague to these western communities. They had disposed of all their goods for Virginia money which soon depreciated and later was repudiated. Many of the American soldiers had remained in the country to continue a mock government under which they robbed the people. Thrice in successive years the Mississippi had destroyed their crops and the crop of the preceding year had been completely ruined by an untimely frost.[22]

St. Clair could do little more than listen to their tales of sorrow. While engrossed in these affairs a letter from Hamtramck notified him that the Wabash Indians were in arms, and an army of 1,000 savages was liable at any time to deluge the frontier in blood.

[20] *St. Clair Papers*, II, 101, 105.
[21] *St. Clair Papers*, II, 130.
[22] *St. Clair Papers*, I, 165.

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Bands of marauders robbed and murdered the emigrants on the Ohio. Settlers were not safe on that river or anywhere to the north of it.

### § 20 The Conquest of the Miamis

Immediately on receipt of the letter which St. Clair had written him from Clarksville, Major Hamtramck dispatched an interpreter to the Indians with it. This interpreter reached the Vermilion towns, but in consequence of a threat against his life hastily returned to Fort Knox. The commandant at once dispatched Antoine Gamelin with the letter. This Frenchman was well known to the Indians and succeeded in his mission. A detailed study of his visit will show clearly the attitude of the northwestern Indians, the nature of the Miami Confederacy, and their dependence on the English at Detroit.

He set out from Fort Knox, April 5, 1790, on his way to Miamitown at Fort Wayne, intending to visit all the towns near the Wabash as he went. The first place he made was the Kickapoo village of Chief Crooked Legs. This being a detached tribe and near Fort Knox, was well disposed and returned the messenger a pleasant answer. Thence Gamelin proceeded to the Vermilion Piankeshaws. The head chief and nearly all the warriors were at home, and received the proposals of the Americans gladly. However, they refused to make any answer until they had word from their elder brothers, the Miamis. The head chief cautioned the messenger against the Lake Indians, who, he said, were under the British influence. The Shawnees were also on the warpath, he observed. After promising to stop on his way back, Gamelin continued his journey. On April 10, he met a war party of Kickapoos, but they said they were going against the Chickasaws. He asked them to go past Vincennes on their way, and shake hands with the

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commandant. Next day he reached a large Kickapoo village, and at once called a council of the head chief and warriors. He presented, along with St. Clair's letter, two belts of white wampum. It was at this town the former messenger had been turned back. The chief informed Gamelin that the threat of war in his letter was very displeasing. This threat read: "I do now make you the offer of peace: accept it or reject it as you please." Gamelin at once changed it. They next found fault with him for bringing no gifts. He was told, however, that he might continue his journey to the upper towns in safety. As far as making him a formal answer was concerned, they would have to defer that until they could learn the pleasure of the Weas who owned the lands. They had confidently expected from the agent of their American father a draught of milk to put the old men in good humor, some powder and ball for the young men in their hunting, and some broth for the children.

On April 14, the Weas and Kickapoos were assembled and the letter read. Again the answer was, they could do nothing without the consent of the Miamis. The agent was told to continue to the Miamitown, see what the head chiefs said, stop on his way back, and let them know the answer. Our young men, they said, are under the influence of the English at Detroit so that we cannot restrain them. Again he was told that when the Indians met the Americans in council, they always came away naked. They asked if St. Clair's legs were broken so that he could not visit them himself. The English call us women if we do not take up the ax. Our old men are for peace, but our young men are gone to war.

On the 18th he arrived at L'Anguille, or the Eel River Town. Neither the sachem nor war chief was present. The speeches were read to such of the warriors as were at home, who seemed well pleased, invited

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the messenger to stop on his return, and sent some of their men with him to Miamitown. On the 23d, Gamelin arrived at the Miami capital. The next day he called the Miamis, Shawnees and Delawares into council, and read them his letters. The French and English traders were also invited to be present. To each nation he delivered two belts of wampum. Gamelin then called their attention to the treaty of Muskingum, which they disavowed, saying it was made by irresponsible young men without the tribe's knowledge or consent. The only purpose at this time, he continued, was to reestablish peace. The head chief said he was pleased with the spirit and would soon answer. In a private conference the chief told the messenger not to place any significance on what the Shawnees said. They were soreheads and were always disturbing the peace of the nations. He denied that the Miamis had done any of the mischief on the Ohio river. His young men only went out to hunt. It was the Shawnees that did all the mischief.

On the 25th, Gamelin visited Blue Jacket, the Shawnee chief, in his tent. Blue Jacket said that they all understood his speech and were pleased with it, but that they could give no definite answer till they had heard from their father at Detroit. They had decided to return the wampum and send the messenger on to Detroit to speak to the English. "From all quarters," he continued, "we receive speeches from the Americans and no two are alike. We suppose that they intend to deceive us—then take back your branches of wampum."

On April 26, five Pottawattomies arrived with two negroes, whom they sold to the traders. Next day Gamelin again called on LeGris, the chief of the Miamis. His war chief was also present. He was told not to mind what the Shawnees had said, but to wait and his letter would be presently answered.

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On the 28th, he was told he might return when he pleased, as they could make no positive answer till they had advised with the Lake Indians and the commandant of Detroit. The chief asked for and took the wampum refused by the Shawnees. Agents of the Five Nations were present, conferring with the western Indians on some important affairs. Three Wyandots also arrived at the council house with their belts of wampum, but LeGris would not disclose the purpose of their mission.

That night at supper, Blue Jacket, the Shawnee, again insisted that Gamelin go to Detroit and meet the English. Next day at a grand council Gamelin informed them that his mission was at an end; that his orders were not to go to Detroit unless forced. Blue Jacket assured him that what he said in reference to going to Detroit was merely a suggestion; they did not mean to force him. All declined any formal answer, though they promised within thirty nights to send messengers to Vincennes with written answers.

On May 2, Gamelin turned homeward, visiting all the tribes on his return and finding evidence on every hand of the hostile attitude of the savages. The whole trouble lay in the British influence at Detroit and the desire for the Ohio river as their boundary line. The arms, ammunition and other supplies came from Detroit, and the constant irritation that kept the savages ill-tempered came from the American squatters north of the Ohio. Gamelin arrived at Vincennes May 17, and the substance of his report was communicated to Governor St. Clair at Kaskaskia. As soon as that officer learned of the threatening conditions he hastened back to Fort Harmar to meet the bursting storm.[23]

Word also reached St. Clair of Shawnee depreda-

[23] *St. Clair Papers*, II, 132, 135. The Journal of Gamelin is given entire in *American State Papers, Indian Affairs*, I, 93.

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tions on the Ohio. Two boats had been captured at the mouth of the Scioto. A few days later two more were taken containing property worth $7,000. Some men boiling salt at Bullitt's Lick, fourteen miles below Louisville, were attacked and killed. A man coming down the river a mile above the Falls was ambushed and killed.[24]

Under these conditions St. Clair hastened back to Cincinnati in order to hold a conference with General Harmar. Congress by acts of the previous year had authorized St. Clair to call out the Virginia and Pennsylvania militia. The governor of Pennsylvania paid no attention to the call and an additional 500 men had to be levied on Virginia. Three hundred of the militia who were to rendezvous at Fort Steuben were thence to march to the aid of Hamtramck at Fort Knox in an attack on the Weas and Kickapoos. The remainder of the militia gathered at Fort Washington to aid Harmar. The appearance of the militia did not encourage Harmar. They had neither axes nor cooking utensils. Their arms were bad and out of repair. It seems in many cases broken guns were brought purposely to have them repaired by the gunsmiths of the regular army. The inspector gave it as his opinion that all the firearms in Kentucky unfit for use were brought by the volunteers to Cincinnati. The most distressing fact was the endless jealousy and bickering over the command. Col. John Hardin[25] was senior commander, but Colonel Trotter was a personal favorite of the men. Instead of hushing up the quarrel the latter officer encouraged it. The difficulty was increased by the fact that a great many of the militia were old men and boys who had never trained before.

[24] *American State Papers, Indian Affairs*, I, 84-95. These are only samples of the scores of such crimes committed.

[25] Heitman, *Historical Register Officers Continental Army*, 209.

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A compromise was effected by making Colonel Trotter, commander of the Kentucky battalion, and Colonel Hardin, commander over all the militia. The contractors supplied the army by means of pack horses. This service required 868 horses equipped with packsaddles, rope and bags. The department was in charge of a horsemaster-general, eighteen horsemasters, and 130 pack-horse drivers

All told, the little army numbered 1,453, of whom 320 were regulars under Majors John Wyllys and John Doughty. They took up the march to the Indian towns on the last day of September, 1790. By October 15, the advance had reached the Maumee Towns, which were deserted. No Indians were seen, though plentiful signs indicated that a large force was in the immediate neighborhood. As soon as General Harmar was satisfied that there was to be no resistance by the Indians, he decided to march on the Wea Towns of the Wabash. On inquiry it was found that the packhorses had been stolen by the Indians. Colonel Trotter was sent out with 300 men to scour the country for Indians. The militia was disorderly and nothing at all was accomplished. The next day Colonel Hardin, while making a circuit with the same troops, stumbled on a small party of Indians near the St. Joseph, and lost thirty men in the fight. The militia fled at the first sight of the Indians, some throwing away their loaded guns. The little party of regulars was deserted and twenty-two out of the thirty men killed.

The next day all the property of the Indians around the junction of the St. Mary and the St. Joseph, was destroyed, after which the army started on its return to Cincinnati. It would have been fortunate had it continued. But Colonel Hardin bore the defeat of the day before on Eel river with impatience. The disgraceful conduct of the militia, he thought, ought to

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be retrieved, and he therefore asked if he might lead a command back to the ruined towns at the head of the Maumee. The army had spent the night of October 20 at the Indian village of Chillicothe, two miles down the river from the present site of Fort Wayne. It had reached a point seven miles further on when a detachment of 400 men was sent back under the unfortunate Colonel Hardin. By a rapid march on a beautiful starlit night the troops reached the junction, where they found the Indians encamping on the east side of the St. Joseph just at its junction with the St. Mary. A battalion was ordered to cross the St. Mary's and circle to the west, in order to cut off the retreat of the Indians. The militia again disobeyed orders by firing at the first Indian that was seen. The shots roused the rest of the Indians, who fled in small bands in different directions. The main body of the warriors, however, under the Little Turtle, who had planned the ambuscade of two days before, was stationed under the high banks of the Maumee at the ford a short distance below the junction. Here as the regulars under Major Wyllys attempted to cross, the Indians fell upon them and killed nearly all of them, including the commander. Most of the men fell in the stream, then very low, and their blood reddened its waters for a great distance. Excepting a small squad of cavalry under Major Fontaine, who fell at the first fire, the militia, 200 of whom were near the ford, took no active part in the fight, returning hastily but unmolested to Harmar's camp as soon as they realized that the regulars were annihilated. When the frightened militia reached the main camp there was almost a panic. Hardin urged the commander to lead his whole army forthwith against the Indians. This perhaps would have been the best thing to do had the commander been a more energetic soldier, but, considering the jealousy among the officers,

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the ill-feeling between the regulars and militia and the insubordination of the army as a whole, General Harmar certainly did the wise thing in getting them out of the Indian country.[26]

In the meantime Major Hamtramck with a force of 400 men moved up the Wabash to the Vermilion towns, which he destroyed. Meeting with no Indians, he returned to Fort Knox, having accomplished nothing. In explanation of his failure it should be said that Major Hamtramck depended on Major Whitely of the militia to bring supplies from the Falls. The latter started with ninety-six beeves and arrived with twenty, having lost or sold during the same time 200 of his horses. The year's campaign closed with all the prestige of victory with the Indians. They had, indeed, been despoiled of their houses, their corn and beans, fruits of the toil of their squaws and children. The Indians later gathered together hastily, and built huts to face the cold and famine of the long northern winter, while on the other hand the exposed settlers awaited in dread the vengeance of the tribesmen, which they knew the unsuccessful expedition would draw down upon them.

In this expectation they were not mistaken. A long list of murders and robberies followed, beginning January 2, 1791, with the massacre at the Big Bottoms of the Muskingum. The outlying squatters, the women and children, the man in the field, the lone travelers on road or river, going to church or to the mill, above all, the immigrants on the upper Ohio, all felt the hardships of this merciless war. It was reported that 300 white persons were lost on the Ohio

[26] *St. Clair Papers*, I, 167-170. A good map of the campaign is given in the *Northwest Under Three Flags*, Charles Moore, 346; *American State Papers, Military*, I, 20. The record of the court of inquiry held September 15, 1791, at Fort Washington, is there given.

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river alone. The Indians in bands of twelve or fifteen lay concealed about the stockades or settlements until an opportunity offered to kill or capture without danger to themselves, after which they made off at the rate of forty miles a day with scalps or captives. Pursuit or punishment was impossible except by the old Indian hunters who outrivaled the warriors themselves in deeds of cunning murder.[27]

The Americans had learned a few things by the failures of the year 1790. The policy of employing regulars and militia together had proven a mistake, but it seemed nothing less than a national disaster would convince some of the old army officers of it. Petitions were presented to the President asking him to entrust the defense of the frontier to the militia and offering to raise a sufficient force to conquer the country at once. On the other hand intelligent observers recognized the uselessness of retaliatory expeditions in ending the war. December 2, 1790, Major Hamtramck wrote St. Clair that, judging from the experience of years of Indian warfare, the Americans would never be able to end the war as long as the British held the northern posts; that if the Indians offered peace in the spring it ought not to be granted as it would only be a ruse of the mischief-making British; that Indians could not be subdued by burning their houses and destroying their corn, ravages most easily repaired, since they live indifferently well on the game from the forest; that they could not be decisively beaten in a general engagement for they would not fight except at a great advantage and when hard pressed would scatter into the forest where pursuit was impossible; that the only way to end the war was for a regular army to establish a line of forts from Vincennes to Lake

[27] *American State Papers, Indian Affairs*, I, 83, *seq.*; also 107 *seq.*, where is given the correspondence concerning northwestern Indians.

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Erie, overawe the British and dictate peace to the Indians.[28] It might be pointed out that this was the policy carried out by Gen. Anthony Wayne. Nothing has caused more wrong to the Indians than humoring them in council with the silly fiction that they were the equals of the white men.

But the Kentuckians loved vengeance as the Indians loved war. Each party had suffered great cruelty at the hands of the other, and neither was disposed to listen to reason. In order to gratify the Kentuckians and at the same time keep the war in the Indian country while St. Clair recruited a regular army, President Washington authorized General Charles Scott with the Kentucky militia to attack the Wea Towns.[29] The expedition was to consist of 500 men equipped and paid by the national government, to start about the first of May, and to be out twenty days. The object of the raid was to get some captives, especially women and children, to hold as hostages. On visiting Lexington, May 5, to see how preparations were going forward, St. Clair found 750 men ready to go. These volunteers were to meet at Frankfort on May 15, 1791, and thence proceed down to the mouth of Kentucky river, where they would find powder and lead. On May 19, the force was at the place of rendezvous ready to start, but were kept waiting four days by St. Clair who was expecting a report from Col. John Proctor, then on a fruitless mission of peace to the hostile tribes.[30]

On May 23, the army set out from the Ohio, and headed straight for the Wea Towns. Its way led through the unbroken forest across the branches of White river. Rain fell in torrents accompanied by storms of wind and lightning. The rivers were high

[28] *St. Clair Papers*, II, 136, 197.
[29] Dillon, *History of Indiana*, 262.
[30] *St. Clair Papers*, II, 205.

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and each skirted by a swamp four to six miles wide, making the course a succession of quagmires. The muddy paths wore down their horses and the rains spoiled their provisions. In eight days the troops reached the prairies south of Lafayette, coming upon an Indian scout from the villages, but being unable to overtake him. The guide, Col. John Hardin, who had volunteered for this service, was not sure of the location of the main Indian town. All pushed forward as eagerly as their jaded horses would carry them, however, until one o'clock when they came upon two villages. Ordering Captain McCoy and Colonel Hardin with one company to attack the villages, the others hurried toward the main town, about five miles away, concealed by a grove. On turning the corner of this grove the Americans came suddenly upon the Indian town. A few warriors had remained in a house at the edge of the town to delay the Kentuckians. These were quickly killed or brushed aside and the whole force charged into the town. The Indians had been warned by the sentinel and were crossing the Wabash in great confusion when the Americans reached the bank. The soldiers, dismounting, dashed down to the water's edge in time to destroy five canoes, killing or capturing the occupants.[31]

Col. James Wilkinson was ordered to lead a detachment of 200 men mounted on the freshest of the horses up to the ford two miles above for the purpose of crossing and intercepting the retreating fugitives, but on account of high water did not cross. A company, under Captain Barbee, succeeded in crossing just below, some soldiers finding canoes and others swimming, in time to cut off a few stragglers, but the larger part escaped unmolested.

[31] General Scott's instructions, and his reports are given in *American State Papers, Indian Affairs*, I, 129; also in *St. Clair Papers*, II, 207.

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During this time Hardin was busily engaged. He succeeded in surprising the villagers, taking 52 prisoners and killing six warriors before a relief party, under Captain Brown, arrived with aid. By sundown all the troops had gathered in the Wea village. This was a town of seventy substantial houses, some of which were well finished. Several French families lived with the Weas and had introduced more advanced cultivation than was to be found in neighboring towns. Books, papers, and written documents made it evident they were in close connection with the British at Detroit. A large stock of corn, household goods, and peltries was burned.

Early in the morning General Scott ordered Colonel Wilkinson with 500 men to attack the town of Kethtipecanunc at the mouth of Eel river, but an examination showed that the horses were too much worn for the long, hard ride of eighteen miles through the swamp country. In this dilemma 360 men volunteered to undertake the march on foot. Starting from camp at five thirty in the afternoon, they reached the town by forced marches at ten forty p. m. and lay on their arms till daylight the next morning. An attack was made, but the Indians had quietly slipped across Eel river and scattered to the woods. After destroying the town the party hastened back to the camp, which they reached at one p. m., having marched thirty-six miles. June 4, while the army rested, General Scott sent sixteen captives, old squaws and children, with a letter to the Indians, telling them that if they would return and surrender he would spare their town, but he received no answer. Next day, after destroying everything, the troops set out for the Falls of the Ohio, where they arrived June 14, without the loss of a man and with fifty-eight prisoners.[32] The expedition was

[32] The names of these prisoners are given in Scott's report referred to above.

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creditable to its leader, both from a military and humane standpoint.

As soon as General Scott's troops returned, St. Clair decided to send out another expedition. He accordingly notified the Kentucky military board to call out 500 men to rendezvous at Cincinnati. The board placed Gen. James Wilkinson in command. Gathering his forces together hastily that officer marched away from Fort Washington, near Cincinnati, August 1, 1791, holding his course for three days directly toward the Miami Towns. On August 4, when about seventy miles from Cincinnati, he turned to the northwest, floundering in the swamps and swollen streams till August 6, when he struck a broad trail that led him to the Wabash five miles above the mouth of Eel river. Although it was five o'clock in the afternoon the soldiers pressed on and, two and one-half miles further, came unexpectedly upon the village home of the Miami chief, Little Turtle. Seeing the Indians fleeing to the woods the troops charged across the shallow stream, and succeeded in killing six warriors and taking thirty-four prisoners. Various stories were told by the captives concerning the whereabouts of the warriors, but Captain Caldwell, who scoured the neighborhood with a detachment of troops, was unable to find a single one. The village, situated about six miles from the mouth of Eel river on its northwest bank, was in the midst of an impenetrable thicket of brambles, black jacks and hawthorns.

Next morning, after hastily destroying the growing corn, the troops set out for the Kickapoo towns on the prairie, thirty miles to westward. After floundering through swamps the greater part of the way they reached the town, but their horses were thoroughly worn out. For this reason the commander decided not to go on to the principal Kickapoo town, and, after destroying again the growing corn at

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Ouiatanon, turned homeward by the same route which Scott had followed, arriving at the Falls of the Ohio August 21.

Nothing of value was accomplished by these expeditions. The Indians of the upper Wabash, confirmed in the belief, as taught them by the English, that the Americans would be satisfied with nothing less than their destruction, now rallied to a man for the war. They were also more successful in their plea to the Lake Indians, by telling them that the Americans would not stop when the Miamis were driven away. On the other hand the Americans were lulled into a false notion that the conquest of the Indians was an easy matter.[33]

As soon as the news of the defeat of General Harmar reached President Washington at Philadelphia, preparations were begun for a new campaign. It was felt that all the moral effects of a victory remained with Little Turtle and his warriors. The Secretary of War advised the President as early as January 15, 1791, that it was necessary to attack the Indians at once with overwhelming force, to establish a fort at the head of the Maumee, and not only to overthrow the Miamis but to curb the Ottawas and Chippewas. The number of soldiers on the frontier was entirely inadequate for this, and he recommended a new regiment. Col. John Proctor was sent on a peace mission, though nothing was hoped for from it. Military preparations went on steadily. The expeditions of Scott and Wilkinson were intended merely as a mask for the larger operations. One new regiment of regulars was to be added to the First, which was commanded by Hamtramck. These regiments, forming the basis of the army, were to be strengthened

[33] General Wilkinson's official report is in *American State Papers, Indian Affairs*, I, 133. His report to St. Clair is given in *St. Clair Papers*, II, 233.

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by two regiments of United States levies enlisted for six months and all the militia that could be profitably used. At the head of this force (never an army) was placed Maj. Gen. Arthur St. Clair, the governor of the Northwest Territory. Second in command was Gen. Richard Butler, who seemed half-hearted in the matter from the first. Col. Charles Scott, of Kentucky, was appointed to command the militia. It is not necessary to follow the details of this misguided, mismated, misordered, misdirected affair. The expedition was intended to rendezvous at Fort Washington July 10, but it was September 7 before General Butler and the quartermaster arrived. As soon as Butler arrived a jealousy between him and General Harmar sprang up over criticisms of the previous campaign. A court-martial was demanded and several days of valuable time spent in taking evidence concerning a misfortune which all knew was due to undrilled, disobedient militia. The only man that profited by that unfortunate experience was General Harmar, who after vainly pointing out to some of the officers that another calamity was approaching from the same cause, withdrew from the army and retired to Pittsburgh.

In spite of commendable exertions on his own part, St. Clair had nothing like an army. Supplies were not on hand, guns and ammunition were defective, the militia as well as the levies were uncontrollable and wandered about regardless of orders. Colonel Hamtramck, with the First Regiment—the only disciplined troops in the west—was sent on to build a fort on the Great Miami, twenty-three miles northwest of Cincinnati. The militia were already deserting and the Indians were stealing the horses from under the walls of the fort. The militia were passed on to Fort Hamilton as fast as they arrived in Cincinnati. With nothing to do and with the fall rains pouring down incessantly they soon became discontented and began again

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to desert. There were not enough regulars to prevent this, and it continued in increasing numbers. Parties of ten, twenty and even one hundred openly took the trail for Cincinnati and home. The disaffection rapidly spread to the raw levies, who claimed their terms of enlistment had expired. Parties of hunters, formed in defiance of orders, were cut off by savages who hung on the flanks of the army and noted every move. Provisions were obtained with great difficulty, being transported on horseback from Cincinnati. It was October 20 before the last company of the Second Regiment arrived at the latter place. The main division was about fifty miles on the march by this time, though straggling recruits and deserters were coming and going all along the way. On October 31 a full company of militia marched off for home, declaring their intentions of stopping the pack horses on the way to obtain provisions. For fear of trouble the entire First Regiment was sent back as far as Fort Jefferson to protect the supply train against these mutineers.

The army continued at a snail's pace in the direction of Miamitown. The continual rains made the whole country an almost impassable swamp. Five miles were considered a good day's march. As they proceeded, the Indians, in large bands, were seen prowling around.

On November 3 the army marched about nine miles, reaching camp after dark. Marching was difficult in the swampy country, and the men were so tired when they arrived that no attempt at fortifications was made. The camp lay on the side of a small creek twenty yards wide. The high ground was barely sufficient for the regulars to huddle together on, and the militia had to pass on about three hundred yards beyond the stream. This was supposed to be a branch

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of the Miami, but it proved to be the headwaters of the Wabash.

The sentinels were restless all night. Their frequent firing at what they took to be Indians kept the camp disturbed and the officers alarmed. Skulking Indians were reported seen by the guards. About ten o'clock General Butler sent out a captain and thirty men to make a reconnoissance. This officer reported an Indian army in the neighborhood, but the report did not find its way to the commander, St. Clair.

The fact was that an Indian army had been following St. Clair for several days. It seems that the Indians had feared Major Hamtramck and the First Regiment. Now that these old experienced Indian fighters had been sent to the rear, it was decided to make an attack. All night Little Turtle's forces had been taking position for the early battle. The American troops had been paraded as usual at daylight November 4, and had been dismissed for breakfast just as the Indian warwhoop gave the signal of attack. At the first volley the frightened militia rushed for the camp, three hundred yards away. Their stampede threw the front lines of the regulars into confusion so that at first the Indians met with slight resistance. There was no surprise worth speaking of, for all the regulars were under arms and in line before the Indians reached them. The attacking Indians spread to either flank and soon had the regulars surrounded and crowded back on the high ground. The militia, huddled together in the center, added to the confusion, and interfered with the artillery. The fighting grew warm on the left flank and the American lines gave way. But no sooner had the Indians advanced to the open ground than they in turn were driven back. One battalion after another raised the savages with the bayonet but no advantage was secured from these

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charges. The advanced line could not be held, and the Indians always followed closely the retreating soldiers. They were adepts in hiding and flitting from tree to tree until within a few yards of the whites. They appeared only when routed from cover with the bayonet. They soon had most of the officers picked off and the gunners killed. Not an officer of the artillery was left when the few gunners remaining around the battery spiked the guns and abandoned them. The troops were rapidly becoming an ungovernable mob when the order for a retreat was given. The few officers left gathered together and led the way. As soon as the road was gained a precipitate flight began. The wounded were abandoned, arms were thrown away, and all semblance of organization disappeared. The Indians did not follow the rout far, but turned to plunder and scalp.

St. Clair did all he could with the troops at hand. The militia were of no service whatever. Time and again the regulars drove the Indians at the point of the bayonet, but the riflemen refused to take their places in the line and hold them back. When the retreat started they lost all sense of disgrace, and ran over the wounded in their haste. Many never stopped to eat a meal till they were nearly to Cincinnati.

The defeat left the frontier unguarded, but fortunately the First Regiment was unharmed, and the defeated recruits and militia were largely made up of the riff-raff of the frontier. Their death was little loss. Thirty-seven officers and 593 men were killed or missing; 31 officers and 253 men were wounded. St. Clair was not in uniform nor on a horse and that alone no doubt saved him. Winthrop Sargent and John Gibson, both well known in early Indiana history, were officers and both were wounded. All told,

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the loss was 913. General St. Clair reached Cincinnati on November 8.[34]

## § 21 A Year of Negotiations and the End of the War

Governor St. Clair's shattered army reached Fort Washington, November 8. December 26, 1791, Secretary Knox laid before the President a plan to end the Indian War. This plan called for a well-appointed, seasoned army of 5,188 men, who were to be thoroughly drilled before being led into the Indian country. The preparations of the previous year had been masked by militia expeditions, but now, in deference to the wishes of Washington, an earnest effort was to be made during the year 1792 to settle the Indian trouble by negotiations. Pending these negotiations the army was to be organized on the frontier. Rufus Putnam, superintendent of Indian affairs for the Northwest, was entrusted with the work of obtaining peace. Early in the spring there were, accordingly, dispatched to the hostile Indians three flags under a man named Freeman, Maj. Alexander Trueman, a gallant soldier of the First Regiment, and Col. John Hardin, of Kentucky. These men were all sacrificed in this futile attempt at peace. Major Hamtramck was directed to get in communication with the Wabash tribes and prepare them for a council at Vincennes in the autumn. These Indians, since the raid of the previous year, were inclined to be reasonable. The Weas grasped the opportunity of sending a delegation to visit Scott's prisoners then held at Cincinnati. The leader of this delegation, the Wea chief, Jean Krouch,

[34] The official reports and other papers concerning this expedition are in *American State Papers, Indian Affairs*, I, 136. Many details are given in *St. Clair Papers*, I, 117; II, 233. For a detailed account of St. Clair's Defeat see McMaster, *A History of the People of the United States.*

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who had been intrusted by his tribe with large powers for treaty making, died in Cincinnati, but Putnam was so impressed with the sincerity of the broken-hearted visitors who had hoped that their chief would succeed in rescuing the prisoners, that he placed prisoners, visitors and a goodly store of presents on boats and set out for Vincennes. A treaty was concluded there September 27, which ended the hostilities of the Wabash tribes and restored to the tribesmen about 100 women and children captured the year before. After sending a letter from the missionary, John Heckewelder, to the Delawares, Putnam left for the east with sixteen Wabash chiefs whom he had persuaded to accompany him on a visit to Philadelphia. All efforts to get the hostile Miamis into council were unavailing. The white men who attempted to reach them were murdered, and the advice of Joseph Brant and Captain Hendrick, two Iroquois chiefs, whose mediation the President had secured, was unheeded by the victorious Indians, now completely under the influence of the British.

The military preparations were not yet far enough advanced to risk another campaign, and it was decided to try diplomacy yet one time more. The Indians, to the number of 2,000, were assembled on the Maumee. Here, in the neighborhood of the British traders, and easily accessible from Detroit, provisioned and counseled by the British officials, they lay feverishly watching every movement of the army under Wayne. Word was sent them by Chief Hendrick that American commissioners would meet them at Sandusky when the buds opened in the spring. For this mission the President selected Beverly Randolph, Benjamin Lincoln and Timothy Pickering. These men spent the summer of 1793 around Lake Erie vainly trying to secure an audience with the Indians, but the English succeeded in preventing it. The Indians

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remained firm in their demand for the Ohio river boundary. The last hope of a peaceable settlement passed, and the blame for the failure must rest on the head of Governor Simcoe and his fellow officers of Canada.[35]

As soon as Governor St. Clair had gathered his broken army into Fort Washington, he demanded a court-martial to determine the blame for the recent disaster. A court-martial being impossible, because there were not enough officers of the high rank required to form the court, he resigned as commander. After canvassing the merits of several generals, Washington chose Anthony Wayne to lead the new army of the west.

General Wayne arrived at Pittsburg in June, 1792, and began to drill the recruits. Washington directed him to spare neither powder nor lead in target practice. After drilling till late in the fall, Wayne led his army, now called the Legion, to a place about twenty miles down the Ohio, which he named Legionville. Early in the spring he continued down to Cincinnati, where a camp ground called Hobson's Choice was laid off and drilling began again. Target practice was a part of every day's work. The soldiers were taught to use the bayonet and to depend on it in fighting Indians. They drilled especially to fight in open order, like rangers, and yet to support each other. They were trained in camp-making, fortifying, forced marching, maneuvering, and above all in marksmanship.

Word finally came that the peace commissioners had failed and the army of about 2,600 effective men left Cincinnati October 7, 1793, for the scene of war. On October 13 Wayne camped in a strong position six

[35] The documents connected with these different negotiations are given in *American State Papers, Indian Affairs*, I, 139-202, 215-225, 335-361, 524-529.

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miles north of Fort Jefferson, where he was joined by General Scott with 1,000 Kentucky militia. After keeping these troops in camp long enough to convince them that he was master of the army, Wayne dismissed them for the winter. He established a winter camp at this place in order to protect the settlements. The Indians did not dare to separate and leave their towns exposed to this hostile army. The camp was fortified and named Fort Greenville. An advance party went on to the scene of St. Clair's Defeat and built Fort Recovery. At 7 o'clock on the morning of June 30, 1794, Little Turtle, with perhaps 1,000 warriors, made a furious assault on the fort, but a strong detachment had reinforced the post lately, and he was defeated with heavy loss. A great many white men, including some officers in scarlet uniforms, fought with the Indians that day.

Wayne crept on slowly, drilling his men, covering his front with scouts, who kept him posted on the numbers and location of the enemy. On August 8 he reached Grand Glaize, on the Maumee. This place he called the grand emporium of the Indian country. Here the Indian army had rendezvoused for the last ten years, but more especially since Harmar's Defeat. On all sides were fields of corn and pumpkins, indisputable evidence that even these savages were taking the first feeble steps toward civilization.

General Wayne quickly built a fort here, which he named Defiance, and hastened on down the river after the Indians. These latter fell back sullenly before the Americans, watching eagerly but vainly for a chance to surprise them, and imploring from the British that aid which they had been so often and so freely promised. To give this promise color, Governor Simcoe of Canada had led 300 British troops to the foot of the rapids of the Maumee and constructed a fort from which the Indians were supplied with pro-

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visions and ammunition. A short distance above this fort was a dense forest strewn with fallen trees, the wreck of some previous tornado. Here the Indian army, under the Little Turtle, decided to offer battle.

The Indians were not hopeful. Wayne had, a few days before, sent a last offer to treat for peace and the Little Turtle had favored accepting it, but English counsels prevailed. At early morn, August 20, the American army approached in its usual battle formation, with the dragoons on one flank, the mounted Kentucky militia on the other, a cloud of scouts far in advance, and the Legion following in double battle line with loaded guns and bayonets at a trail. There was no possibility of surprise. As soon as the scouts located the Indians, the Legion charged and, raising the enemy with the bayonet, fired individually at point blank range. After the first fire, it was tomahawk against bayonet and the Indians, though double the numbers of the Legion, were chased two miles in an hour. Nothing saved them from a massacre except the dense woods. The fugitives sought shelter in vain under the walls of the British fort. The Legionaries charged up to within pistol shot of the British guns and drove the Indians away from its walls to the woods for shelter. Not an Indian was allowed to enter the fort, where they had been welcomed before.

The battle of Fallen Timbers was the death-blow to the Miami Confederacy. The allied Indians were worn out with the long vigil. For two years they had been watching the steady approach of the invading army, buoyed up with the hope of taking it by surprise, as they had done Harmar and St. Clair, or by the aid of the English of defeating it in the open field. The result had shown them the futility of both hopes. After waiting three days on the field of battle and destroying all the property, both Indian and English, in the neighborhood, Wayne led his army slowly back

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up the river to where Fort Wayne now stands, destroying everything as he went. Fort Wayne was completed October 22 and named by Colonel Hamtramck. The Legion returned to Greenville to winter quarters, Hamtramck, with his regiment, remaining at Fort Wayne.[36]

The Indians, after their defeat, gathered around the western shores of Lake Erie and spent the winter in hunger and misery, subsisting on the scanty rations dealt out by the British. Governor Simcoe, agent McKee, and the Mohawk chief, Brant, encouraged them to continue the war but their spirit was broken. The Little Turtle, Buckongahelas, Tarke, Le Gris, Blue Jacket, Captain Jonny, one after another, visited the Americans and promised to come for the council to be held at Greenville the next summer. The great Treaty of Greenville which ended this long war, was signed August 3 and exchanged August 7. This treaty opened about half of Ohio to settlement but none of Indiana except a narrow strip east of the line from Fort Recovery to the mouth of the Kentucky river. Eleven hundred thirty warriors, representing nine nations, were present and assented to the treaty. Everything looked promising for a long peace.

Capt. Thomas Pasteur, then stationed at Fort Knox, reported that many hostile Indians passed that post on the way across the Mississippi during the autumn following the battle of Fallen Timbers. General Wayne learned the same from other sources. All these blamed the British for their misfortunes.[37]

[36] The documents on Wayne's Campaign are printed in *American State Papers, Indian Affairs*, I, 487, *seq.*

[37] *American State Papers, Indian Affairs*, I, 550.

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## CHAPTER VI

### TERRITORIAL GOVERNMENT, NORTHWEST TERRITORY, 1788-1800

### § 22 Organization of the Northwest Territory

The jurisdiction of France extended over the soil of Indiana from the period of its first discovery and habitation by white men down to the end of the Old French War in 1763. Part of what is now Indiana lay within the province of Canada and part within the province of Louisiana, the dividing line crossing near Terre Haute. The territory legally belonged to England from 1763 till 1783; but it is hardly proper to say there was a government from 1764, when St. Ange left Vincennes, till the arrival of Col. J. F. Hamtramck, in 1788. Such improvised forms as existed are fitter subjects for fiction than history. December 12, 1778, Virginia erected the Illinois Country into the county of Illinois and appointed John Todd county lieutenant.[1] As soon as the western territory passed under the control of Virginia the Continental Congress, September 6, 1780, recommended that it be ceded to the United States.

There were urgent reasons on the part of Virginia for making the cession. First of these was the expense of protecting and governing the distant colony. The Virginia State government, then almost bankrupt, had more than it could do to defend its own immediate borders. The second was the attitude of the other States. All would oppose Virginia's hold-

[1] Henry, *Life of Patrick Henry*, III, 212; see also Hening's *Statutes of Virginia*, IX, 552.

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ing this enormous territory, which would make it larger than all the other combined. Besides the other States had claims on the same lands. These claims were shadowy, indeed, as compared with that of Virginia; but in times of strife an excuse is frequently as good as a legitimate claim. The third reason for the cession was more statesmanlike and more worthy the noble Virginians who then ruled that State. The common ownership by all the States of this vast domain would be a powerful bond of union for the thirteen States. The sale of its land would bring to the national treasury the money to pay the soldiers of the Revolution. The first cession by Virginia, made January 2, 1781, was on such conditions that Congress could not accept it. On September 13 the new Congress of the Confederation specified to Virginia terms on which it could accept and these were agreed to by Virginia, December 20, 1783.[2]

The principal conditions of this cession, the oldest constitution of Indiana, were that out of the ceded territory federal republican States not less than one hundred nor more than one hundred and fifty miles square should be constituted, which in due time should be admitted into the Union on equal terms with the older States; that the United States should reimburse Virginia for all the expenses incurred in the conquest from the British and Indians; that the settlers who had become citizens of Virginia should be protected in their personal rights and in the titles to their lands; and, lastly, that the United States should warrant to George Rogers Clark and his men the 150,000 acres of land promised them by the State of Virginia. The deed of cession was signed and delivered to the United States on March 1, 1784, by Thomas Jefferson, Samuel Hardy, Arthur Lee and James Mon-

[2] Ben Perley Poore, *Constitutions*, I, 427.

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roe, the delegates of Virginia to the Confederation Congress.[3]

The Confederation Congress was anxious to obtain a revenue from the sale of western land at the earliest possible moment. The endless litigation over land titles, which was then distracting Kentucky, warned the government that some systematic scheme must be adopted for the survey and marking of boundaries. A committee, appointed May 1, 1782, reported in favor of marking the land off into lots six miles square, an early reference to our congressional township. Another committee, of which Madison was a member, recommended dividing the ceded territory into States and admitting them into the Union—a suggestion that was embodied in the Virginia deed of cession. A more pretentious, though less sensible, report by a committee, of which Jefferson was a leading member, was made March 1, 1784. The purpose of this committee was to prepare for colonial government in the new territory. According to the latter report the territory should be divided by lines of latitude and longitude into ten States, for which the names Sylvania, Michigania, Chersonesus, Assenisipia, Metropotamia, Illinoia, Saratoga, Washington, Polypotamia and Pelisipia were suggested. These States were to have republican governments and slavery was to be prohibited after 1800.

While these abstract discussions were going on in Congress, a company of men was organizing in Massachusetts to make a settlement north of the Ohio river. This company was composed largely of officers who had served in the Revolutionary army. Many of them held certificates of indebtedness against the Confederation which they intended to use in payment for the western land. Gen. Samuel H. Parsons, Gen.

[3] Ben Perley Poore, *Constitutions*, 428. These documents are also in Thorpe's *Constitutions and Charters*.

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Rufus Putnam and Rev. Manasseh Cutler were the directors of the company. Dr. Cutler was sent to Congress to make the purchase. His diary indicates that he found not only Congress but congressmen sorely in need of money. It is enough to state here that by catering to a number of speculating congressmen he succeeded in purchasing 1,500,000 acres of land on the Muskingum river. In connection with this purchase Congress drew up a scheme of colonial government which has since become famous as the Ordinance of 1787. The company demanded a free church, free schools, free labor, and a practically free territorial government.

These were the circumstances under which this charter was drawn. A wealthy company was ready to buy $3,500,000 worth of land. The New England congressmen were anxious to promote the purchase and thereby help the New England company. Many members from the Middle and Southern States were financially interested in the success of the company. Other members of Congress were in hopes of securing lucrative positions in the new government. It would have been impossible to interest New England people in a new colony where slavery was the condition of labor; consequently in order that it might sell its lands the Ohio Company demanded the exclusion of slavery.

The Ordinance passed Congress July 13, 1787.[4] It provided for a temporary government to consist of a governor, secretary, and three judges, all appointed by Congress. The governor and judges, subject to some important exceptions, were to adopt from the old States laws suitable to the government of the new settlement. Freedom of worship and the personal and

[4] Ben Perley Poore, *Constitutions*, I, 429. A good account of this land deal is given in McMaster, *A History of the People of the United States*, I, 505.

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property rights common to Englishmen were guaranteed to the settlers. Schools and the means of education were to be encouraged forever as a necessary condition of free government. The Indians were to be treated fairly and their title to the land respected. There were to be constituted out of the territory not less than three nor more than five States, which were, as soon as they could be shown to have at least 60,000 free inhabitants each, to be admitted into the Union with all the privileges of the older States.

Primogeniture and slavery were forbidden, and a high property qualification was required both for voters and officeholders. As soon as there should be 5,000 freemen a representative government was promised in which the people might choose their own legislature. Over this legislature the governor retained an absolute veto, and the power to convene, prorogue and dissolve. This territorial legislature was empowered to nominate ten men, from whom Congress should select five to act as a legislative council—a cumbersome and useless process of election quite as impracticable as the later electoral college.

In this liberal scheme of colonial government some of the conditions of Virginia's cession had been violated, which made it necessary to go back to that State for a ratification. This having been generously given in 1788, in the next year Virginia granted to the States that might in the future border the Ohio river on the north the right of free navigation and concurrent jurisdiction on its waters.[5]

When the constitution of the United States went into effect in 1789 it was necessary to make some new arrangements concerning the Northwest Territory. This was done by an act of Congress August 7, 1789,

[5] Hening's *Statutes*, also *St. Clair Papers*, I, 212; Burnet, *Notes on the Northwest Territory*, 308.

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which gave to the President the appointive powers and duties formerly exercised by Congress.[6]

## § 23 THE GOVERNMENT AT MARIETTA

THE first settlers of Marietta began to cross the Appalachian Mountains during the winter and spring of 1788.[7] Dr. Cutler, after a consultation with the United States surveyor, had decided on the Muskingum Valley as the most suitable site for the new colony. Here the first settlers landed April 7. Arthur St. Clair, the president of Congress when the sale of land was made to Dr. Cutler, had been appointed governor of the new territory October 5, 1787, but did not arrive at Marietta, the name given to the settlement on the Muskingum, till July 9, of the next year.

The Northwest Territory, of which Indiana was a a part, now had a regularly constituted, if not very efficient, government. St. Clair's chief concern was for the Indians. He was directed to notice their disposition, remove all causes of friction, regulate their commerce with the settlers, keep up a friendly intercourse with their chiefs, prevent confederacies among them, and lose no opportunity of acquiring their lands by purchase.

The first territorial legislature for the Northwest Territory convened at Marietta in July, 1788, and held numerous sessions during the remainder of the year. It was composed of Judges Samuel H. Parsons, James M. Varnum and John Cleves Symmes. Even in the exercise of its limited powers it was subject to the veto of Congress. In the organization of this government, Congress emphasized the value of property qualifications in office holding. The governor was required to

[6] *United States Statutes at Large, Sess.*, I, ch. 8.

[7] The facts given in reference to the purchase of land and settlement in Ohio can be found in *St. Clair Papers*, and in *Life, Journal and Correspondence of Manassah Cutler.*

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be a resident freeholder of 1,000 acres, the secretary and judges to own and occupy 500 acres each.

The judges were not regarded as lawmakers primarily. Besides having a general common law jurisdiction, they had the power, when sitting with the governor, to borrow or adopt a statute from one of the original States. When the temporary government came to an end they surrendered all pretense to legislative power, though, as judges, they held office during good behavior.

Congress instructed Governor St. Clair to proceed as soon as possible to Kaskaskia and Vincennes to organize regular county governments and adjust their troublesome land claims. In pursuance of these orders, St. Clair, Secretary Winthrop Sargent, and the judges left Marietta for the west December 30, 1789.[8] After stopping a few days at Cincinnati, where they organized Hamilton county, they reached Clarksville, at the Falls of the Ohio, January 8, 1790. No county was organized at Clarksville, but a temporary government was authorized by appointing William Clark, of Clarksville, justice of the peace and captain of the militia.

From here the governor and his party continued on down the river. They reached Kaskaskia by way of the Mississippi river, but had scarcely entered into the work there before the threatening aspect of Indian affairs on the Ohio called St. Clair back to Fort Washington for a consultation with General Harmar. Sargent was left in charge at Kaskaskia. As soon as he had finished the organization of St. Clair county and put the machinery of government in motion he set out for Vincennes.

## § 24 Vincennes Land Claims

On his arrival at Vincennes, Secretary Sargent found a complication of land claims which defied settle-

[8] *St. Clair Papers*, II, 121.

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ment. The depository for the orders of the commandant during the period of French and English control had been the notary's office. The loose scraps of paper on which concessions of land had been made were lost, trifled with, or stolen. On this account Acting Governor Sargent was unable to do justice immediately in but few cases.

The earliest of these land claims rested on a reputed grant by the Indians. According to a memorial to Congress, filed by the inhabitants, the Indians of the Wabash, at a council in 1742, ceded all the land from Point Coupee above to White river below to the inhabitants of Vincennes. The record of the treaty had long remained with the register of deeds at the old Post, but an absconding officer, Raumer by name, took it away with him at the beginning of the French and Indian War. The petitioners claimed that the Indians had often ratified this gift, afterward extending it forty leagues west and thirty leagues east.

A committee of the House of Representatives, to which all these claims were referred, rejected the claim described above, on the ground that if such a grant were made it was to the French government and would thus revert to the United States under the treaties of 1763 and 1783.[9]

A far larger and more dangerous claim resulted from the activity of land speculators during the English rule. For presents of trifling value large tracts of land had been obtained from the Indians. One of these tracts was claimed by the Illinois Land Company. Its agent, William Murray, a trader of the Illinois Country, had bought from ten Kaskaskia chiefs, July 5, 1773, two large tracts of land bordering the east bank of the Mississippi, and equal in size to the State of Illinois.

In the same manner Louis Viviat, also an Illinois

[9] *American State Papers, Public Lands*, I, 26.

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trader representing an association of adventurers known as the Wabash Land Company, purchased, October 18, 1775, from some Piankeshaw chiefs a block of land 279 miles long and 210 miles wide lying on either side of the Wabash. The deed, which purported to convey about 60,000 square miles of land, was duly registered at Kaskaskia and Vincennes. These gigantic frauds had been consummated while Hugh Lord was commandant at Kaskaskia. It seems that the promoters were aided and encouraged by the officials, many of whom were stockholders in the land companies. They were already making arrangements for settlements when the Revolution put an end temporarily to their activities. After that storm had subsided things did not look so favorable for the adventurers. The two companies were accordingly merged April 29, 1780, and their joint affairs placed in the hands of a committee of three, James Wilson, William Smith and John Shee. The Old Congress, having taken no notice of a memorial presented to it by these men in 1781, nothing further was done until December 12, 1791, when the agents of the company offered to surrender their whole claim if the United States would re-convey to them one-fourth of the land in the original claim.

On this modest claim of some 30,000 square miles the Senate made an adverse report, basing it on the ground that contracts between Indians and private parties for the conveyance of land were void. However, a House committee reported, April 3, 1792, that since this contract was made before the Declaration of Independence and had extinguished the Indian title there was no other title remaining and the deed was therefore voted. To this it was answered that the proclamation of George III, October 7, 1763, strictly forbade anyone except government buying land from the Indians. This policy laid down by King George was adopted and has been followed by the United

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States. On this account all these western land claims, laid before the Revolution, and based on cessions by the Indians, have been held invalid.[10]

The next series of claims in order of time were those based on grants by the French and English commandants. From the earliest settlement down to 1779, the commanders of the post had exercised the sovereign power of the medieval king in granting land to any one whom they thought worthy. These concessions, or deeds, written of necessity on any scrap of paper procurable were in most cases lost or misplaced. There was no official register of land titles except the notary. One of these, as we have noticed, during the time of St. Ange, ran away with all the public records, while another, Mr. LeGrand, who served from 1777 to 1788, was guilty of so many forgeries that it was impossible to use his papers in adjusting claims. As Mr. Sargent observed in his report to Congress, not one out of twenty of the ancient inhabitants could produce a clear legal title.

But the actual French settlers could not be dealt with as the speculators had been. They had settled around the Post, had obtained land, and by their own labor had made their farms valuable. Clearly the claims to their farms rested on good faith and were favored by Sargent, who confirmed their titles where boundaries could possibly be ascertained. Even where no definite bounds could be determined these settlers were not dispossessed, as will be seen later.[11]

A fourth series of claims dated from the period of the Virginia government, 1779-1790. Although Virginia ceded the land to the nation in 1783, the govern-

[10] *American State Papers, Public Lands*, I, 21, 22; George Henry Alden, *New Governments West of the Alleghenies Before* 1780.

[11] *American State Papers, Public Lands*, I, 5. A full list of the settlers at Vincennes for 1783 is there given.

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ment instituted by Col. John Todd was not superseded until the arrival of Secretary Sargent in 1790. However, General Harmar stopped the granting of land upon his arrival at Vincennes in 1788.

When Todd left Vincennes he appointed Col. J. M. P. LeGrand his lieutenant. Like the commanders before him, Colonel LeGrand granted land liberally to all new settlers. In his absence the same power was assumed by the court. The members of this court, Francis Bosseron, Louis Edeline, Pierre Gameline and Pierre Querez, in their letter of explanation to Sargent, said they had been instructed to apportion land to all new settlers according to their needs. They insisted that they followed what they considered the law and their duty. This latter statement does not stand criticism, since they granted to each other all the public land claimed by the town, a quantity estimated at 10,000 square miles.

This humorous grant later caused considerable trouble. Land speculators, by whom the west has always been infested, bought up these claims, had them duly recorded, and sold the titles thus obtained to innocent settlers for whatever they could obtain. As much as 1,000 acres would be given for a horse or gun. Gov. William H. Harrison wrote to Secretary of State James Madison, January 19, 1802, that he was expecting 500 of these defrauded people to come into the territory to settle during the coming spring.

The lieutenant of Kaskaskia had likewise made numerous land grants in the Illinois Country. It was impossible to give any credence to the claims. Todd's instructions positively forbade him making land grants or authorizing any one else to do so. There was no evidence that Todd authorized it. Moreover, by a proclamation issued at Old Kaskaskia, June 15, 1779, he warned all persons against making settlements, especially on the bottom lands of the Mississippi, Illi-

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nois, and Wabash rivers.[12] This was intended to keep out the squatters, whose manner of locating land was just then causing so much confusion in Kentucky. It is hardly necessary to state that all these claims under the Virginia regime were rejected by Sargent.

A fifth series of claims was founded on the act of Congress of March 3, 1791. This act followed the recommendation of Secretary Sargent made in his report to Jefferson, July 31, 1790, and confirmed a grant, previously made, of 400 acres to every head of a family residing in the Illinois Country in 1783. Besides these grants to heads of families, of whom there were 143, the act confirmed the grants made to actual settlers by the Piankeshaws and the grant of 5,000 acres to the town and known as the commons.

To each militiaman, enrolled August 1, 1790, who had not received land under any of the former provisions there were given 100 acres. This was not in payment for any services they had rendered but as an earnest for services soon to be needed in the approaching Indian war. Lastly, those persons who in good faith had improved their homesteads, thinking their titles good, were given a title.

These various conflicting titles seemed to defy adjustment. A great many who had been heads of families in 1783 had died or moved away during the hard times following Clark's conquest. Of the 240 or more claims allowed under this law, only a few were in the hands of the original claimants. Francis Vigo held fifty-eight of these claims and others held quite as many.[13]

Secretary Sargent appointed four commissioners, James Johnson, Henry Vanderburg, Francis Vigo and

[12] The proclamation is given in *American State Papers, Public Lands*, I, 11.

[13] See Sargent's Report, *American State Papers, Public Lands*, I, 5-11.

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Robert Buntin, to pass on the claims. All of these men were placed in the delicate position of judging the validity of their own titles. Johnson held seven; Vanderburg, thirty; Vigo, fifty-eight; Buntin, seventeen. However, judging from the reports which the commissioners themselves made, the adjustment gave general satisfaction.

When the land office at Vincennes was established in 1804, the register and receiver, John Badollet and Nathaniel Ewing, who superseded the old commissioners, had some trouble with Judge Henry Vanderburg, who, it seems, in at least one instance, had manufactured a title to 400 acres of land. All, no doubt, got as much land as they were legally entitled to and most of them got more. In going beyond the law the government was not more generous to these pioneers than they deserved. The work of locating, surveying, and finding the rightful owners to these claims occupied the attention of the territorial government as well as a great deal of that of the United States land office till 1807. A special complaint of the claimants around Vincennes was the payment of the high fees charged by the surveyors. Congress finally put an end to these by paying the surveyors out of the national treasury.[14]

## § 25 INDIANA A PART OF KNOX COUNTY

IN addition to adjusting the land claims, Acting Governor Sargent had been instructed to lay off a county around Vincennes. This was done June 20, 1790. It was named Knox, in honor of the Secretary of War. Its ample boundaries were, on the east, the great Miami, on the south, the Ohio river to Fort Massac, on the west, St. Clair county, and the Illinois

[14] See the pathetic letters of P. Gibault in *American State Papers, Public Lands*, I, 16.

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river to the junction of the Chicago and the Kankakee, thence due north to Canada, on the north, Canada.

John Small was appointed sheriff and became the executive head of the new county. The militia was organized and placed on an active footing under command of Maj. Francis Vigo. Courts were organized, common pleas, quarter session, and probate. Andrew Heath was appointed a justice and John Mills a notary. Samuel Baird was appointed public surveyor. Having organized a complete county government for these poor, ignorant French peasants, who were better acquainted with the manorial government of the Middle Ages than that of the English county, Secretary Sargent set out for Fort Washington, August 21, 1790. This was the first real, organized, civil government on the soil of the present State of Indiana. Its jurisdiction embraced all of Indiana and large parts of Ohio, Illinois, Wisconsin and Michigan. There was nothing striking or novel in its organization. All the common elements of the English county government were present. The chief functions were the preservation of order and the protection of the people. As was necessary the little community was put on a war footing.

The judges and secretary found moral conditions at Vincennes rather startling. Drunkenness and gambling were common and murders occurred almost daily. The judges adopted laws which they hoped might remedy this. The first law, adopted July 19, 1790, forbade anyone selling liquor to the Indians in the territory, and forbade aliens trading with them at all. Most of the disorder was connected directly or remotely with the Indian trade. The second law, enacted seven days later, made it unlawful to sell or give liquor to the soldiers, and also forbade the soldiers to sell or pawn their arms, ammunition or clothing. A third law, adopted August 4, reciting that gambling was the curse of the little community, prohibited every

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kind of gambling, and made illegal all gambling debts and contracts. The latter act also limited the use of firearms.[15]

The weight of the government was too much for this ancient community that had never felt a need for more than the advice of the priest and the will of the commandant. An early frost in the fall of 1790 killed most of their crops. The expense of having their land surveyed, regular service in the militia, the salaries of all the newly appointed officers; all of these extraordinary expenses coming together, and no money in the country to pay with, discouraged the French.[16] This free self-government, so loudly praised by the Virginians, was not entirely to their liking. Nor were they reconciled as the fact slowly dawned upon them that the good old times of the "old regime" were gone forever. The French citizens showed little capacity for political affairs and the offices were soon all in the hands of the Virginians. Excepting Colonel Vigo, who commanded the militia, and Robert Buntin, the recorder, no Frenchman held office for any considerable period.

## § 26 Government Under the Judges

As soon as the Ordinance of 1787 was proclaimed in the territory, the settlers on the Wabash and in Illinois became alarmed for their slaves. The French residents had been allowed to hold slaves under the kings of France and England. These rights had not been questioned by the Virginia government and no one expected any interference by the national authority. St. Clair gave it as his opinion that the Ordinance was not retroactive and hence would not affect slaves held at the time but would prevent more being brought

[15] *St. Clair Papers*, II, 167.

[16] Dillon, *History of Indiana*, 224; *St. Clair Papers*, II, 148.

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into the country. This reassured the people but did not entirely allay their fears, as it was a question for the courts, and all knew the judges were hostile to the practice of slavery. A few masters, fearful of the new law, moved with their slaves over into the Louisiana Territory, where they were hospitably received by the Spanish governor. Other masters retained their slaves but made them indentured servants, hoping in that way to avoid the law.[17]

Trouble soon arose with the judges on the slavery question. Henry Vanderburg, one of the most influential of the new settlers, had, apparently, brought slaves with him into the territory. When Judge George Turner, of the general court, arrived he and Vanderburg were soon involved in a quarrel. Vanderburg was probate judge, justice of the peace, and had lately been appointed one of the three commissioners to sell liquor to the Indians. Moreover, he was a friend of Governor St. Clair. Capt. Abner Prior, of the regular army and a deputy superintendent of Indian affairs, was also involved. In a letter to the governor, Judge Turner charged these men with some mysterious crime, which he did not name but promised to prove before the court. The men were no doubt guilty of that same species of robbery and peculation that has always disgraced Indian agencies and, besides, Vanderburg had aided in defying the officers of Judge Turner's court, but the foundation of the trouble lay deeper. It was the judge's attitude on the slavery question.[18]

From the beginning of their service there had been friction between the governor and judges. The Ordinance of 1787 limited the lawmaking power of the

[17] *St. Clair Papers*, I, 120, note 2, where the matter is well summed up; Dunn, *Indiana, a Redemption from Slavery*.

[18] *St. Clair Papers*, II, 318, Governor St. Clair's letter to Luke Decker; 325, Judge Turner to Governor St. Clair; 330, Governor St. Clair to Judge Turner.

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judges to choosing statutes already in operation in some States. When they failed to find a suitable statute they did not hesitate to construct a new one. The governor called them to task for their liberty and a spirited correspondence was waged. Congress favored the governor, but the judges enforced them as if they had been approved.[19]

As mentioned before, the governor favored Vanderburg in his quarrel with Judge Turner. The latter evidently believed, though the matter was never before his court, that the Ordinance, once for all, put an end to slavery in the territory. Not only did he think it prohibited slaves from being brought into the territory but that it freed those already there. Although there were not more than two score slaves in Knox county at the time, their loss would have been considerable in the eyes of their owners. Governor St. Clair had already written Luke Decker, of Vincennes, that the Ordinance was not meant to free the slaves. Turner was an imperious self-willed man, and opposition made him careless of the rights of others. He soon found himself confronted by a grand jury indictment and a memorial to Congress praying for his impeachment. The memorial was the work of William St. Clair, an officer in the Illinois Country and a kinsman of the governor. Congress deemed it best not to try the impeachment process on account of witnesses having to travel so far, and ordered the case to be tried by the courts. Turner resigned and left the territory, thereby ending the suit.[20]

The judges were not at any time above criticism and the governor not averse to fault-finding. In a letter to the President, December 15, 1794, he called

[19] *St. Clair Papers*, II, 325, 353, *seq; American State Papers, Miscellaneous*, I, 82, 116; Burnet, *Notes on the Northwest Territory*, 40.

[20] *American State Papers, Miscellaneous*, I, 151, 157.

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attention to the personnel of the court, composed at the time of Gen. Rufus Putnam, a director of the Ohio Land Company, Mr. Symmes, owner and agent of the Miami Company, and Mr. Turner, who held a large grant of land from Symmes and whose title depended on the validity of Symmes' title. A large part of the litigation that came before the court arose out of land deals to which these companies were parties. It is only necessary to call attention to the conditions to show how odious such a court would become.

The judges often engaged in land speculations. One of these embittered the relations of the governor and two of the judges throughout this period and divided the settlers of Ohio into two parties. Judge Symmes had contracted for a large tract of land from the old Treasury Board. The purchase was not completed and the new Congress acted slowly. The original claim of the judge was to a tract extending up the Ohio twenty miles from the mouth of the Great Miami. The judge was not content with the first boundaries and soon extended his claims, at the same time sending his surveyors into the disputed territory. Governor St. Clair, in a public proclamation, warned him and all others to keep off of the land. Among the settlers who had bought lots of this disputed land from Symmes was Judge Turner, who, as noted above, proceeded to improve the land after personal notice by the governor that he had no title. There is apparent in these transactions by the judges that same disregard of justice which has characterized all land speculators in their dealings with the United States.[21]

The judges had a difficult and important work to do. It was an irksome and unpopular task to lay the foundations of government in this western world, and subject a lawless people, even in a small degree, to the

[21] The correspondence is given in *St. Clair Papers*, II, 339, *seq.*

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restraints of laws and courts. The law required that judges be resident freeholders of five hundred acres. Their meagre salaries of $800 each would hardly pay expenses on a circuit embracing Marietta, Detroit, Cincinnati, Vincennes and Kaskaskia. The roads were mere bridle paths, which led for hundreds of miles through the Indian country. There were no taverns and the nights were spent on the lonely traces, in the dirty wigwams of the hospitable natives, or in the solitude of the forest with no protection but their blankets. In fair weather, in spring and autumn the trips were pleasant, but in the heat of summer and cold of winter the hardships tried the endurance of the strongest. Judge Parsons lost his life in an attempt to swim a flooded stream on one of these trips. Liberal praise is due these men who labored earnestly for the welfare of the rising commonwealths.[22]

## § 27 Civil Government of the Northwest Territory

The attention of the white settlers was almost completely absorbed by Indian affairs until the Treaty of Greenville, 1795. As indicated before, the judges had at different times enacted statutes where it was absolutely necessary. In this the judges had exceeded their powers. All such statutes had been disapproved by the House of Representatives, February 16, 1795. This rebuke by Congress brought the judges to a realization that they were not a sovereign body.[23]

The governor called the judges into session at Cincinnati immediately after the signing of the Greenville Treaty, when they at once entered upon the selection of a full code of laws for the territory. Of the thirty-eight statutes adopted, twenty-six were from

[22] The best account of the early courts is in Burnet's *Notes on the Northwest Territory.*

[23] *Annals of Congress, Third Sess.*, 1227.

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Pennsylvania, six from Massachusetts, three from Virginia, and one each from New York and New Jersey. These laws, printed in Cincinnati, have since been known as the *Maxwell Code*, from the name of the printer. It is claimed that this was the first job printing done in the territory. The code, with the addition of a few statutes adopted in 1798, remained the only laws for the territory until the meeting of the first legislature in 1799.

The government of the territory was intended to be as simple and inexpensive as possible. At its head stood the governor, who was chief executive and commander of the militia. He was also a member of the general court for adopting laws. Next were the judges, three in number, appointed by the President for an unlimited term, and all but independent of the governor. Their highest duty was the adoption of laws from codes in force in other States. This latter limitation they disregarded and over the protest of the governor enacted laws which seemed best for the territory regardless of any restraint. Later, when Congress disapproved these, the judges at least chose the titles from older codes, but they still changed the body of the statute to suit territorial conditions. The practicing attorneys often complained of this illegality and at times threatened to test the constitutionality of the laws, but the reflection that the same court that made the laws was a last resort in testing their validity, caused the lawyers to abandon their purpose.[24]

This general court, all members sitting together or any two, was the highest judicial body of the territory. Its decisions could not be reviewed either by Congress or the Supreme Court. It had original and appellate jurisdiction in all civil and criminal cases, and exclusive jurisdiction in divorce trials. It was a common law court without chancery powers. It held regular

[24] Burnet, *Notes on the Northwest Territory*, 312.

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sessions at Cincinnati in March, at Marietta in October, and at Detroit and the western counties when the judges could reach these places, the exigencies of the Indian war and of traveling making the times extremely uncertain.

The following experience of Judge Jacob Burnet and Arthur St. Clair, son of the governor, will give some idea of the life of judges and lawyers of that period. In December, 1799, Mr. St. Clair and Mr. Burnet set out on a trip from Cincinnati to Vincennes on professional business, intending to remain and practice law if the location were promising. Mr. Morrison, who was on his way from New England to Kaskaskia, with a view to settling on the Mississippi, accompanied them. They purchased a small Kentucky boat, sometimes called an ark, in which they embarked with their horses and provisions. In the afternoon of the fourth day they arrived at the Falls of the Ohio, where they left their boat, mounted their horses and proceeded on their journey. About nine o'clock in the evening they discovered, at a little distance from the path they were traveling, the camp of four or five Indians, which they approached. After having shaken hands with the Indians, they procured a brand of fire, proceeded some distance further on their way, and halted for the night. Having brushed away the snow from the spot they had selected for a camp and collected a good supply of wood for the night they kindled a fire, took some refreshments, wrapped themselves in their blankets and lay down to sleep.

The next night they encamped in a rich valley, where they found an abundance of fallen timber, thus enabling them to keep up a warm fire through the night, before which they slept very comfortably till morning. During the night a couple of panthers, attracted by the light of the fire, approached sufficiently near to the camp to serenade the travelers with their

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unwelcome music, but kept a respectful distance. The next day they encountered a severe snow storm, during which they surprised eight or ten buffaloes, sheltering themselves from the storm behind the top of a beech tree full of dead leaves, which had fallen by the side of the "trace" and thus hid the travelers from their view.[25] The tree and the noise of the wind among its dry leaves prevented the buffaloes from discovering the men till they had approached within two rods of the place where the animals stood. The latter then took to their heels and were soon out of sight. One of the men drew a pistol and fired, but without visible effect. That evening they reached White river, where they found an old cabin, deserted by its builder, in which a large wildcat had taken shelter, and seemed at first disposed to vindicate its right of possession. It was, however, soon ejected, and the travelers entered and occupied the premises without molestation during the night and without attempting to do personal violence to the tenant whom they had driven out. The next morning they arrived at Post Vincennes, where they tarried about a week. In the meantime Mr. Morrison proceeded westward. As soon as Messrs. St. Clair and Burnet had closed their business they set out for home, having abandoned the idea of engaging in the practice of law in that county, from a conviction that the profits of the business would not be an adequate compensation for the fatigue and loss of time to which it would subject them in making the trip from Cincinnati.

Before they left the post, Colonel Vigo furnished them with provisions for their return journey. These included a complete apparatus for striking and kindling fires. No occurrence of importance took place on the first day of the return trip. With the second began

[25] The travelers were following the famous "Buffalo Trace." For a description of it see Wilson, *History of Dubois County*, 100.

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a snowstorm which continued during the day. About noon the lawyers halted to feed their horses and partake of some refreshments. The snow was brushed from a log by the side of the "Trace," where they sat down and dined sumptuously on a frozen chicken, a biscuit and some old peach brandy, put up for them by their Vincennes friends. It was their calculation when they left Vincennes to camp that night on Blue river, but being mistaken as to the distance they did not reach the place till several hours after dark. The weather having then moderated, it commenced to rain, and the rain continued to fall during the greater part of the night.

As this crossing place was the best ford on the river it had been the common camping ground of travelers between the Falls and Vincennes, from the establishment of the Post. As a matter of course all the fuel that could be conveniently obtained had been used up. Nothing remained in the vicinity but the larger sized trees, which travelers, after a tedious day's journey, were not disposed to fell even though they might have the means. After rambling through the woods in the snow six or eight inches deep, they succeeded in gathering together at the place selected for their camp some dry limbs which had recently fallen. There they kindled a fire, sufficient to boil a pot of coffee and thaw a frozen roast chicken; but by the time their supper was finished their stock of fuel was exhausted, and their fire went out. Thus situated, their prospects for the night were anything but cheering, the ground covered with snow, the rain falling plentifully, and their fire extinguished.

Determined, however, to make the best of their situation, they scraped away the snow, and with their coats and blankets wrapped themselves up as snugly as they could, and laid down for the night. Their saddle-bags served as pillows and their saddles were

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so placed as to shelter their heads. In this manner they slept as soundly as circumstances permitted till morning. When they arose from their beds they were as wet as they possibly could have been had they slept in the bed of the river. Having no fire, they ate a cold breakfast, tempered it with a little peach brandy, then saddled their horses and started for Louisville, where they arrived about dark on Christmas evening. Being very much fatigued they partook of a good supper and retired to comfortable beds.[26]

Circuit courts were established throughout the territory. Each was presided over by one of the territorial judges, who were required to ride the circuit every year. It only required one judge to hold circuit court while at least two must sit at general court. Besides the regular session the judge could hold a special session or, as it was called, a jail delivery whenever there was need. This was usually done when the sheriff reported several prisoners in jail, especially if one of them was a murderer or horsethief who would probably hang.

Below the circuit courts were the common pleas and quarter sessions. The former tried civil pleas between citizens of the county. There was plenty of work for this court in Vincennes, but few competent judges could be found. The courts attempted to administer both the common law and the statutes.

The quarter sessions was occupied with petty crimes such as assault and battery, drunkenness and gambling. The governor was directed to appoint a sufficient number of justices so that one or more would be in every neighborhood. Three of them could open court and hear the pleas. Any one of the justices could issue the common law writs and accept bail from persons committed to jail.

[26] Burnet, *Notes on the Early Settlement of the Northwestern Territory*, 72-75.

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Of the thirty-eight laws found in the *Maxwell Code* not less than thirty deal primarily with the establishment of jurisdiction and the procedure of courts. The whole local government was in the hands of these local judges and justices. The meetings of the various courts were the principal events in the counties.

Each county had a sheriff, treasurer, coroner, clerk, and one or more constables. All were appointed and commissioned by the governor. County lines were not definite and the processes of the court ran for the whole territory. Jurors were forced to attend by a heavy penalty for failure. The pay of the officers was meager enough and yet it was a burden to the taxpayers. The traveling expenses of the territorial judges, attorney-general, clerk of the territorial court, and their servants were paid from the territorial treasury, but their local expenses had to be paid by the county.

The local or county government, as stated above, was very largely in the hands of the justices of the common pleas. There were three county commissioners, one of whom was appointed by the justices annually to serve three years. The voters of each township elected an assessor annually. The commissioners and assessors met together as a county board for the transaction of county business. They passed on the claims against the county, allowing the good and rejecting the bad. The valid claims were summed up, and a tax levy, sufficient to pay them, was made for the ensuing year.

Each constable made out a list of the property and polls of his township, from which the assessor made out the tax duplicate for each township. The assessors and commissioners again met together and elected a collector for each township. The collector then took the duplicate for his township and collected the tax, which he turned over to the county treasurer. If any one refused to pay his tax the court proceeded against

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him the same as for debt, took his property, and if enough property was not found put the person in jail. If a taxpayer felt that his taxes were too high he could appeal to the commissioners sitting as a board of equalization.

The justices of the common pleas decided upon any public improvement for the county, such as building a courthouse, jail or bridge; but the actual work was supervised by the commissioners or assessors. The justices received the wolf scalps, and gave an order on the county treasurer for the bounty. They appointed annually for each township two overseers of the poor, who levied the poor rate, or tax, built or rented a poor-house, dispensed the public charity, and found homes or employment for orphans. At every step they were under the direction and control of the justices. The latter presided over the orphans' court, and attended to all probate matters.

The justices of the quarter sessions appointed the fence viewers, who decided what constituted a legal fence, and in case of dispute passed on the legality of the fence in question. The justices recommended tavern keepers to the governor who, alone, had the power to license them. But after the license was obtained the justices made out a complete table of rates for every service of the tavern keeper. Under the gaming law the justices could summon any man, except a freeholder, before them and place him under bond for his good behavior. Thus it is not too much to say that these justices of the common pleas and quarter sessions—the same men usually held both offices—conducted the local government in the Northwest Territory.

Some of the penalties inflicted by the courts forcibly remind us of the changes of a century. For petit larceny the penalty was immediate public whipping, on the bare back, not to exceed fifteen lashes. A strong

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sentiment existed against imprisonment for debt, and a law of this code forbade it longer than from one term till the second day of the next, unless it appeared that the debtor was able to pay and would not.

Considering the possibilities of a criminal for mischief under frontier conditions, and the great number of vicious men who came from the east to the borders to gratify their criminal natures, we are rather surprised at the mildness of the law and the absence of lynching and other extra-legal punishments. Some of the harsher features of the law were due to expediency rather than to choice. Horse thieves were hung because the pioneers had neither jails nor jailers to take care of long-term criminals; and partly because many horse thieves were also murderers. Public whipping, a brutalizing and demoralizing spectacle any place, is explained in many cases by the lack of prisons. Such jails as existed would not hold a desperate man, even if the sheriff tried to do his duty. Often the sheriff was hand in glove with the lawless element. The chief executive officer of the county was the sheriff. The first sheriff of Knox county and thus the first in Indiana was John Small, a citizen of Vincennes. One cannot help feeling, with the creoles of Knox county, that the government was too elaborate for such a poor community; but it served as a training school in the forms of government, and taught men so that they were able to administer the law when the population increased.[27]

[27] Besides *Laws of the Northwest Territory* see Burnet, *Notes on the Early Settlement of the Northwestern Territory;* Dillon, *History of Indiana;* William Henry Smith, *The St. Clair Papers;* Daniel Waite Howe, *The Laws and Courts of the Northwest and Indiana Territories;* D. D. Banta, "The Criminal Code of the Northwest Territory," in *Indiana Magazine of History,* December, 1913; George E. Howard, *An Introduction to the Local Constitutional History of the United States.* The latter is not reliable for Indiana. The *Maxwell Code* was printed at Cincinnati 1796, and contains the laws then in force.

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By the terms of the Ordinance of 1787 the Northwest Territory passed to the second grade as soon as it had an adult white male population of 5,000. The population reached the required number in 1798. Governor St. Clair then issued his proclamation calling on the people to elect representatives. Knox county was apportioned one member in a legislature of twenty-two. John Small was our first representative in a law-making body. He was an old resident of Vincennes and, as noted before, had served as sheriff. He was a man of very ordinary ability and had little influence among the able lawyers who represented the eastern counties, or what is now Ohio.

The legislature, as directed by the proclamation, met at Cincinnati, February 4, 1799. Its first duty was to nominate ten men, from whom the President of the United States was to select five to act as a Legislative Council. Vincennes was honored by having its citizen, Henry Vanderburg, chosen president of the Council. He was a Revolutionary soldier of the Fifth New York Regiment of the Continental Line. Since no laws could be enacted until the President had selected the members of the Legislative Council, the representatives adjourned till September 16, 1799.[28]

The work of this first legislature was considerable. The laws of the governor and judges had not proved satisfactory. Judge Burnet, who practiced in the territorial courts, called them a miserable apology for a code. The important work of the legislature was the revision of these laws. The burden of this duty fell on the lawyers of the eastern counties.

Before the members settled down to their task they elected a delegate to represent the territory in Congress. In the course of three weeks of electioneering the race narrowed down to Arthur St. Clair, son of the gover-

[28] Perkins and Peck, *Annals of the West*, 507; *St. Clair Papers*, 438, 446, *seq.*, where the minutes of the session are given.

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nor, and William Henry Harrison, a son-in-law of Judge Symmes, and the secretary of the territory since the promotion of Winthrop Sargent. Harrison was elected by a majority of one, October 3, 1799. He at once resigned his secretaryship and hastened to Philadelphia, where Congress was already in session when he arrived.

After this election the legislature went to work on the revision of the laws. The old laws were nearly all repealed or amended and a long list of new ones enacted. The members showed their position on the slavery question by rejecting the petition of some Virginia planters who asked permission to move into the territory with their slaves. A member gave it as his opinion that the assembly was unanimous in its opposition to slavery. This may have been true although both the Vincennes members owned slaves at the time.

The legislature instructed Harrison to use every effort to induce Congress to fulfill the promise of the Ordinance of 1787 with respect to schools by setting aside the sixteenth section in every township for their aid. A protest was sent to Congress against the unqualified veto of the governor, and the property requirement for voting. The most difficult task the legislature met was to draw up a statute in response to a memorial from the commoners of Vincennes. The petitioners held lands in common on the prairie just outside the village. It was their custom to meet at the church door after worship in order to decide matters relating to planting, harvesting, fencing, pasturing and the like. The syndic, whose business was to enforce these church decisions, of late had found his duty more and more difficult. There was endless neighborhood friction and bickering. The legislators finally enacted a law patterned after the old folkmoot laws, which answered the purpose. The legislature rose, December

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19, after enacting thirty-nine statutes and voting an address to the people.

## § 28 HARRISON IN CONGRESS

MR. HARRISON was elected by the party opposed to Governor St. Clair. He was moreover in full sympathy with the Republican spirit of the West as opposed to the Puritanic, Federalistic tendency of the old officials, many of whom had won distinction in the Revolution. He was never a political partisan, though he was always outspoken on any question that engaged his attention.

His constituents in the Northwest Territory desired three things—relief from the abuses of the general court, a division of the territory, and a land law more agreeable to the settlers. To the accomplishment of these things Mr. Harrison at once applied himself. He kept out of party struggles in Congress and cultivated the good-will and friendship of all.

On December 6, 1799, Harrison offered a resolution that a committee be appointed to inquire into the judicial system of the Northwest Territory and recommend changes. It is a proof of the high opinion the congressmen had of him that they allowed him to become chairman of this committee. The land question was not less important to every settler. No one could buy land without placing himself in the grasp of the big land companies. The government at Philadelphia had never succeeded in shaking off the lobby of speculators which had been on its back ever since it came into possession of western lands. It had never sold less than 4,000 acres in a block, and the speculators declared that if the government sold directly to settlers the land market would be ruined.

If Harrison accomplished anything he would have to fight the speculators. He soon took in the situation and decided what to do. On December 24, 1799, he

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asked for a committee to inquire into the land system of the Northwest Territory and the method of its sale. No more important business came before this Congress and yet the speaker showed his appreciation of a son of a signer of the Declaration by appointing Harrison chairman of this committee. On this committee were some of the best men in Congress, among them Mr. Gallatin, who at this time read a petition from 176 actual settlers—squatters—praying that land be sold in small lots so they could get it without being robbed by speculators. What these squatters really wanted was the right of pre-emption in order to get the benefit of their improvements. At the same time the Judiciary Committee was considering a plan to divide the territory. Mr. Harrison thus had all his plans before Congress within a month after his arrival.

The Judiciary Committee reported March 3, 1800, in favor of the division of the territory by a line running due north from the mouth of the Big Miami river. Among other reasons for the division, the committee urged the following: From southeast to northwest the territory extended fifteen hundred miles. The two most widely separated places for holding court were thirteen hundred miles apart. This fact alone would prevent the administration of justice. In the three western counties—Knox, St. Clair and Randolph—during a period of five years there had been only one session of a court having power to punish felonies. This made the country a rendezvous for criminals. The same was true of the civil courts. Local civil offices were left vacant for years. The territory lay open to both England and Spain, each ready to cultivate opposition to the American government among the settlers. So far had their spirit grown that there was then little fear of, or respect for, the government in the Illinois Country. Trade that should come to Americans was being diverted to the English and to the

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Spanish. Even the law of 1791, confirming the land titles of the settlers, had never been executed.

On March 20, a bill for the division of the territory was reported to the House. The only objection was, that it would cause unnecessary expense. This was overcome by Mr. Harrison in a spirited argument, March 28, assisted by a timely petition from the Illinois Country. The bill passed the House on the twenty-eighth.

The Senate substituted a bill providing for a slightly different boundary. The House refused to accept the substitute and the Senate voted to stand by its own bill. Seeing that the Senate was determined Mr. Harrison and his friends decided to recede and the Senate bill became a law, May 3. Two of Mr. Harrison's measures were thus carried at the same time; for the chief trouble with the courts had been the inability of the judges to travel from county to county.[29]

Meanwhile Harrison was busy with the land laws. No other question interested the common people of the territory so much. February 24, 1800, the House, in committee of the whole, took up the report on the sale of public lands. A bill was drawn providing that townships be divided, and that lots of three hundred and twenty acres each be offered for sale at two dollars per acre, with the privilege of paying in easy installments without interest. Rights of pre-emption were allowed, men who would establish grist mills were favored, land offices were to be located at convenient places, and the whole attitude of the government toward the settler reversed. The bill became a law and Harrison was justly proud of his work in Congress.[30]

These successes make one feel that the nation lost

[29] See *Annals of Congress* under dates indicated. For the law see *United States Statutes at Large, Sixth Cong. Sess.* I, ch. 41.

[30] *United States Statutes at Large, Sixth Congress, First Sess.*, ch. 55.

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a great statesman when he resigned. His ancestry and training gave him standing in the East, while his experience on the frontier enabled him to understand and appreciate the West. The laws he secured are worthy of the first delegate from the territory.

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## CHAPTER VII

### INDIANA TERRITORY, 1800-1816

### § 29 ORGANIZATION OF INDIANA TERRITORY: FIRST GRADE

THE eastern boundary of the new territory was a line beginning opposite the mouth of Kentucky river and running thence to Fort Recovery and from that point due north to Canada. The disagreement between the House and Senate on the bill for separation had been over this boundary. The House favored the line due north from the mouth of the Big Miami, and the Senate favored the line given above. The reason for the action of the Senate was that the land was open for settlement only as far west as the Greenville boundary line, which ran from Fort Recovery to the mouth of Kentucky river. To make the western boundary of Ohio a line due north from the mouth of the Big Miami would leave the settlers in this wedge—the gore—practically without government, since their capital would be at Vincennes. As bounded by the Senate bill, there would be no public land for sale in the new territory, and so the expense of government could be kept at a minimum until Ohio should become a State. The southern boundary of the territory was the Ohio river, the western was the Mississippi river, and the northern the Dominion of Canada. The capital was to be at Vincennes, and the territorial government in all essentials the same as that described above for the Northwest territory.

The act of separation was to take effect, July 4, 1800. It was necessary, then, that active measures be



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taken at once to constitute the new government. President John Adams already had his mind made up when the organizing act was passed concerning the officers, and, on the Tuesday following the signing of the bill, he nominated Harrison for governor. The position was not very attractive. Life at the frontier posts even today is considered tedious and it was far worse then. Besides there was scarcely a western post at that time with a reputation as objectionable as that of Vincennes. Its location away from the main lines of travel, the difficulty of reaching it, its notoriety for scenes of drunken brawls and Indian fights, made Harrison hesitate before accepting the position. For territorial secretary the President chose John Gibson, and for judges he chose William Clark, Henry Vanderburg and John Griffin.

The census of 1800 gave to Indiana territory a population of 6,550. These were fairly well distributed over the country. In Clark's Grant, known at that time as the Illinois Grant, at the Falls of the Ohio, were 929 settlers. In and around Vincennes there were 2,497, including 50 traders on the Wabash and 28 colored persons held as slaves. In and around Kaskaskia, separated from Vincennes by 200 miles of forest and prairie traversed by a single trail, were 1,103 persons, including the little settlement of 90 persons down at Fort Massac, on the Ohio. In and around Cahokia, 100 miles up the Mississippi river from Kaskaskia, there were 1,255 settlers. These four settlements were all well ordered pioneer communities.

Besides these there were 251 inhabitants at Michillimacinac, on the channel that joins Lakes Michigan and Huron, 700 miles from any of the other settlements. At Prairie du Chien, 600 miles up the Mississippi from Kaskaskia, were 65 traders and settlers. On Green Bay, 200 miles west of Michillimacinac, was a population of 50. At Peoria, on the Illinois river,

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were 100 settlers; and 300 were enumerated under the heading "boatmen from Canada," the familiar *coureurs de bois* of the fur trade.[1]

Harrison did not arrive at the Indiana capital till January 10, 1801. In his absence the government devolved on the secretary, John Gibson. Whether he had any instructions from the governor does not appear, but at any rate Secretary Gibson proceeded, immediately upon his arrival, July 22, 1800, to set up the new government. He appointed justices for the various courts, clerks, a sheriff, a justice of the peace, a treasurer, and a recorder. On August 1 the work of organizing the militia was taken up and a full corps of officers appointed. At the same time appointments were filled out for the civil officers of St. Clair county.

As soon as the governor arrived at Vincennes he summoned the judges to meet, January 12, for the purpose of enacting such laws as were necessary. During this period a practice grew up that later caused serious criticism of the governor. An illustration will make it plain. John Gibson was secretary of the territory. He was appointed a justice of the peace, February 1. February 3, he was made county recorder of Knox county; February 4, he was made a judge of the quarter sessions court. No doubt there was a lack of good men to fill these responsible offices, but the American people have never accepted the idea of an office-holding class. Especially has such a class been unpopular among the western people.[2]

[1] Census of 1800; Dunn, *Indiana*, 295.

[2] The best authority for this period is the *Executive Journal of Indiana Territory*. This is preserved in the office of the Secretary of State at Indianapolis. It is published in Vol. III, *Publications of Indiana Historical Society*. This journal was not kept from day to day but items were frequently entered long after the event. For this reason it is open to some criticism for accuracy. See also Homer J. Webster, *William Henry Harrison's Administration of Indiana Territory*.

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In that part of the Northwest territory set off as Indiana territory there were two counties already organized in 1800. The oldest of these was St. Clair, organized by and named for, Governor St. Clair, April 27, 1790. Knox county had been organized by Secretary Winthrop Sargent, June 20, 1790. Wayne county had been organized by Governor St. Clair, August 15, 1796. It included northern Ohio, Indiana north of a line from Fort Wayne to the south end of Lake Michigan, a small part of Illinois, eastern Wisconsin, and all of Michigan. The county seat, however, was at Detroit, which, with nearly all the settled part of the county, remained in the Northwest territory by the division of 1800.

The Ohio Enabling Act, April 30, 1802, laid down the present northern boundary of Ohio and attached that part of old Wayne county north of the Ohio line to Indiana territory. By proclamation of January 24, 1803, a new Wayne county was created, bounded on the west by a meridian, tangent to the western shore of Lake Michigan, on the south by a parallel, tangent to the southern point of Lake Michigan, and on the east and north by Canada.

The Ohio Enabling Act also detached from Ohio a wedge-shaped territory on its western border, bounded by a meridian through the mouth of the Big Miami, the Greenville Treaty line from Fort Recovery to the mouth of the Kentucky river and the Ohio river. This strip, usually known as the "gore," by proclamation of Governor Harrison was, for purposes of government, attached to Clark county.

March 26, 1804, the Louisiana Purchase was divided, and that part north of the thirty-third parallel was placed under the jurisdiction of the governor and judges of Indiana territory. The district, however, was never a part of Indiana territory. Laws had to be enacted for the new district the same as for a separate

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territory. It was governed under an ordinance very different from that of 1787, which controlled Indiana. The act that placed it for reasons of economy under these officers was to be in force for only one year following October 1, 1804.[3]

When Governor Harrison reorganized old Wayne county he asked all the officers to continue in office as they had under the Northwest territory. There was no complaint of unfairness against the government at Vincennes, yet there was manifested by the inhabitants of Detroit a restlessness that soon found expression in a petition for separation.

A memorial, signed by Joseph Harrison and others, asking for a separate government, was presented to the first session of the Eighth Congress. A Senate committee reported favorably, giving as its reasons: that Michigan had 3,972 people; that it was separated from Vincennes by over 300 miles of wilderness; that Detroit being exposed to both English and Indians ought to be provided with an efficient government. A bill for separation passed the Senate December 6, 1803, but was lost in the House of Representatives, where it was objected to on account of expense involved.

The inhabitants of Detroit were encouraged by the vote of the Senate, and, when Congress met again petitions for separation were presented in each house. Again the Senate was favorable and the House of Representatives, influenced by a resolution from the Indiana legislature, was opposed, regarding a separate government as a needless expense. In spite of this objection the House of Representatives finally passed the bill and it became a law January 11, 1805. Indiana territory thus lost about one-third of its area.[4]

[3] *United States Statutes at Large, Eighth Cong., First Sess.*, ch. 38.

[4] *United States Statutes at Large, Eighth Cong., Sess.* II, ch. 5.

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Scarcely had the settlers of Detroit secured a home government before the settlers of Kaskaskia and Cahokia petitioned Congress for a like favor. They pleaded the same conditions as those that had prevailed at Detroit. A vast expanse of wilderness separated them from the capital at Vincennes. The power and influence of the Vincennes government was almost a nullity by the time it reached Illinois. The present conditions were driving settlers out of the country while a firm government would increase immigration and thereby stimulate land sales. There were 28,000 people in Indiana and over 2,700 men of voting age in Illinois.

Political conditions also lay back of some of the agitation. The people in the eastern part of Indiana favored the separation, because they thought it would aid them in repealing an odious indenture law, which had been recently enacted by the territorial legislature permitting slavery. They also hoped that when Randolph and St. Clair counties were out of the territory they could change the Indiana capital to some point more accessible than Vincennes. The Indiana legislature, by a resolution of October, 1808, favored separation on account of the lawlessness then existing in Illinois. On the other hand, Randolph county, in Illinois, opposed the separation because it would increase its taxes.

The act of separation was signed by President Thomas Jefferson, February 3, 1809. The two territories were divided by the Wabash river from its mouth to Vincennes, thence by a meridian line to Canada. Two more changes in boundary were made in the Enabling Act in 1816, but they did not affect territorial government.[5]

In 1800 all of what is now Indiana except the

[5] *Annals, Ninth Cong., Second Sess.*, 590. The Committee reports are given in *American State Papers, Misc.*, I, 945.

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"gore" was included in the county of Knox. It was soon found necessary to erect a new county over on the Ohio river. The new county was named Clark, after the conqueror of the Northwest, and proclaimed by Governor Harrison, February 3, 1801. It was bounded on the west by Blue river up to the Vincennes Trail and from there by a meridian line to Driftwood Fork of White river. On the north, the boundary was that branch of White river which runs towards Fort Recovery and from the head spring by a direct line to the fort. On the east it was bounded by the Greenville Treaty line, and on the south by the Ohio river. The governor directed that the first court be held at Springville.

The Ohio Enabling Act, April 30, 1802, put the settlers of the Whitewater valley in Indiana. They were at first placed in Clark county, but were not satisfied. The county seat was down at the Falls, which they thought too inconvenient. To accommodate these settlers the governor erected the "gore" into Dearborn county by a proclamation dated March 7, 1803. The county seat was located at Lawrenceburg. This county was increasing in population rapidly because the only public lands in the territory for sale were in it.[6]

## § 30 Indiana Made a Territory of the Second Grade

Petitions for a change to a representative government began to reach the governor during the summer of 1804. The act organizing the territory gave the inhabitants the privilege of forming a legislative assembly whenever they desired. There had been some demand for the change ever since the organization but the men urging it were not always sincere. They

[6] New counties were created by proclamation of the governor. The proclamation will be found in the *Executive Journal* under the date given in the text above.

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had favored or opposed the change from the standpoint of their own personal interest.

Ever since Clark's conquest office-holding had been an attractive occupation in the Illinois and Wabash countries. For ten years dishonest men had had control and called their system of plunder a government. So grievous had been their rule that the French had petitioned to be relieved of free government and placed under an absolute commandant again. While Hamtramck commanded at Fort Knox these men were held in check, but when he left they again resumed their old practices.

The arrival of Harrison was awaited in fear by these men. Their fear was justified, for they soon learned that he came to govern. Some of the better men of this clique received offices from him, in which they rendered faithful service. The others formed an opposition which attacked his administration at every opportunity. As early as 1801 these malcontents were trying to create a party in favor of a representative government. They succeeded in arousing some interest, both at Vincennes and in Illinois. Harrison opposed the change at this time, but in 1804 he favored it.

The territory had made great progress in the three years. There was not much growth in wealth and population, but there was great progress otherwise. In 1801 the entire north bank of the Ohio river from the Greenville line to the mouth of the river was Indian land, except Clark's Grant. There was not an acre of government land for sale in the territory. By 1805 government land offices had been opened at Vincennes and Kaskaskia and an amount of land equal to the present area of Indiana was being surveyed and offered for sale to settlers. Immigrants were already crowding into the newly opened lands. A line of settlements and villages dotted the north bank of the

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Ohio from Lawrenceburg to Evansville, while clusters of settlements were already located high up the Whitewater, White and Wabash rivers.

As soon as Harrison was satisfied that there was a real demand for a representative government he ordered the sheriffs to hold elections in the various counties. The proclamation was given to the sheriffs, August 4, and the election was set for September 11, 1804.

By December 5 returns were in from all counties except Wayne—Detroit. The proclamation did not reach this county in time to hold the election. Only four hundred votes were cast in the whole territory. Either the time or place of election was unknown in the distant counties or the people were not sufficiently interested to go to the polls. It was a busy time of the year for farmers, and the voting places were at the county seats, often from ten to fifty miles distant from the homes of many voters. Under the circumstances it is not surprising that only those in and near the county seats should vote.

It is impossible to see any great significance in the vote. No one has questioned the interpretation which the governor placed upon it, that the people desired to pass to the representative stage of government, but some have tried to show that it was an expression on the slavery question. Randolph county, with thirty-four slaves, cast forty votes for the change and twenty-one against it. St. Clair county, with more slaves, cast fifty-nine votes against it and twenty-two in favor. Of the one hundred and seventy-five votes cast in Knox county all were in favor except twelve. This argues certainly that the governor gave his active influence in favor of the change. Dearborn county, still resenting the act that separated her from the State of Ohio and attached her to an unwieldy territory whose capital could hardly be found in the back-

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woods, gave her unanimous vote, only twenty-six, against the change. Clark county, which had led in the anti-slavery fight, favored the change by a vote of thirty-five to thirteen. The only possible significance is, that the distant counties opposed and the near ones favored.

The vote favored the change in government by a majority of one hundred and thirty-eight, and on the strength of this majority, Governor Harrison proclaimed the change, December 5, 1804, thus ending the absolute rule of the governor and judges.[7]

Governor Harrison was one of the best territorial governors ever sent out by the United States. Having come west in early manhood his tastes and ideals were western. His education and training raised him above the ordinary pioneer. He avoided the Puritanic, Federalistic, infallible manner of Governor St. Clair, without falling into the opposite, hail-fellow manner of the low politician. His services in the army further cultivated his naturally generous nature. His marriage with the daughter of Judge Symmes brought him a competence and removed him from the temptations to land-jobbing and defrauding the Indians, practices which have disgraced our territorial governments. Possessing almost military power, he never violated the expressed opinion of his constituents.

Governor Harrison's duties kept him away from Vincennes a large part of the time. In his absence the duties of the office fell chiefly on his secretary, John Gibson. The latter was a Pennsylvanian by birth, and, at the time of his appointment, was a veteran of sixty years. In the matter of training and experience he was well prepared for the duties of this backwoods post. He had served under Forbes at the capture of Fort Duquesne and under Governor Dunmore at the battle of Point

[7] *Executive Journal*, under given dates.

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Pleasant. During the Revolution he served with Washington. He had been commander of the Pennsylvania militia, had been a fur trader at Pittsburg for several years, and for a long period had lived among the Indians, becoming by marriage to a squaw a brother-in-law to the eloquent Logan, chief of the Mingoes. "The Journal of the Proceedings of the Executive Government of the Indiana Territory," kept by Gibson, is the best record we have of territorial Indiana.

From the battle of Tippecanoe, November, 1811, to May, 1813, Gibson was acting governor. At the last date he gave way to Gen. Thomas Posey, a companion in arms, and, at the time, a United States senator from Louisiana. Posey had been a soldier all his life, serving under Lord Dunmore against the Indians, as a colonel, during the Revolution, and with Wayne in the Maumee campaign against the northwestern Indians. He was a Virginian by birth, son of a neighbor of Washington, and would have moved to the Northwest territory had not the law forbidden slavery. He served as governor of Indiana territory until it became a State in 1816.[8]

Governor Harrison's duties as superintendent of Indian affairs occupied the larger part of his time. It was the policy of the national government, and the almost unanimous desire of the western people, that the public lands be opened to settlement. It is not to the discredit of the governor that the work of driving the Indians from the public domain in Indiana fell upon him. By a series of treaties—the first at Vincennes, September 17, 1802, the second at Fort Wayne, June 7, 1803, the third at Vincennes, August 13, 1803, the fourth at Vincennes, August 18, 1804, the fifth at St. Louis, November 3, 1804, the

[8] Heitman, *Historical Register of Officers of the Continental Army*, 333.

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sixth at Grouseland, near Vincennes, August 21, 1805, the seventh at Vincennes, December 30, 1805, the eighth at Fort Wayne, September 30, 1809—the governor succeeded in freeing most of the land in the territory south of the site of Indianapolis from Indian claims. A reading of the long, meaningless speeches of the Indian orators, of the ceremonies and formalities of one of these conventions, will give an idea of the time, tact and patience spent in negotiations with the Indians.

As superintendent of Indian affairs it was his duty to regulate the trade with the natives. For this purpose he required each trader to take out a license designating the locality where he intended to trade. On account of the need of money in the territorial treasury, Governor Harrison asked permission to charge a fee for each license, but Congress refused on the ground that the taxing power properly belonged to the legislature. A list of these traders is given in another chapter.

The liquor traffic with the Indians was most troublesome. Less than six months after his arrival, the governor issued a proclamation forbidding any trader to sell liquor to the Indians in Vincennes. If the trader sold it at all, he must deliver it to the buyer at least one mile from town, or on the west side of the Wabash. The common thing with the trader was to lure the Indian to town, away from his friends, make him drunk, and rob him. In an effort at revenge the Indian usually committed some petty crime —an assault on some white man, destruction of property, such as killing hogs, burning fences or buildings—which brought him within the reach of the law. But no law has ever regulated the liquor traffic. Driven from Vincennes, the traders, usually the most debased people on the frontier, next attempted to continue the whiskey traffic by visiting the Indians

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in their hunting camps, where there were ordinarily only two or three men with their families. These were soon made drunk, and, under color of trade, robbed of their furs. August 31, 1801, the governor also forbade this and ordered all traders who violated the order to be arrested and their goods seized.

In memorials to the President, the governor pleaded for some effective means of arresting the whiskey plague among the Indians. His language in these memorials leaves no doubt as to the ravages of liquor among the savages. In a message to the first General Assembly he asked for authority to stop what he termed a "dreadful conflagration spreading misery and desolation" and threatening the ruin of the entire race. The first law passed by an Indiana legislature was a law regulating and restricting the sale of liquor to the Indians. Tecumseh and the Prophet both opposed the use of whiskey by their tribesmen, but the curse was not to be stayed by either white man or red. It went on until it inflamed the anger of the red men to the war point, and, more than all other causes, hindered their civilization.[9]

The next in importance of the governor's duties, and closely connected with his duties as superintendent of Indian affairs, was providing for the defense of the settler. The militia law of the Northwest territory had been in force at Vincennes ten years before the arrival of Harrison. This old system was completely reorganized by the act of December 13, 1799, which

[9] Dawson's *Life of Harrison*, 73, *seq.* This was written in 1824 by Moses Dawson, editor of the *Cincinnati Advertiser*, and a warm personal friend of Harrison. The documents, which compose the larger part of the volume, were furnished by Harrison. It is the most satisfactory treatise on the military life of the general. See also *Laws of Indiana Territory*, 1801-1806, reprinted by Throop and Clark, Paoli, Indiana, 1886; also *Executive Journal of Indiana Territory;* see also a *History of the Late War*, by an American, published at Baltimore, 1816. It is very rare.

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became the law for Indiana territory. The Indiana territorial legislature, December 5, 1806, amended it enough to make it conform to new conditions.

By this law every able-bodied citizen between the ages of eighteen and forty-five except preachers and territorial officers, was required, within twenty days after settling in the county, to enroll with the captain of the company commanding his district. Moreover, he was required to provide himself with musket, bayonet, two extra flints, knapsack, and pouch with twenty-four cartridges, twenty balls, and one-fourth pound of powder. All these but the knapsack must be brought to muster.

The militia were divided into divisions, brigades, regiments, battalions, and companies. These were all numbered and mustered according to number. A full company was regularly composed of sixty-four privates, though it could have any number between forty and eighty. Four companies were placed together to make a battalion; two battalions constituted a regiment; two to four regiments formed a brigade; and two brigades united to make a division.

The commander of a division ranked as a major-general, and his staff as majors; the commanders of brigades were brigadier-generals; the commanders of regiments had the awkward legal title of lieutenant-colonel-commandants, but were in common parlance always called colonels. The battalions were led by majors and the companies by captains. Besides its captain, each company had a lieutenant, an ensign, four sergeants, four corporals, one drummer, and a fifer. In addition to the field officers, there were an adjutant-general, who kept the records, made inspections and did clerical work, a judge-advocate, orderlies, and a commissary officer.

From each battalion there was chosen a company of active young men between the ages of eighteen

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and twenty-eight, who drilled often and made all the lighter campaigns. These companies were variously called grenadiers, light infantry, or riflemen. From each brigade there was chosen a company of artillery, to consist of one captain, two lieutenants, four sergeants, four corporals, six gunners, six bombardiers, one drummer, one fifer, and from twenty to thirty matrosses armed with fusees and twelve rounds of ammunition. From each brigade there was chosen a troop of horse, consisting of thirty to sixty privates with company officers. Each had to equip himself with horse, saddle, bridle, saddlebags, boots and spurs, sabre, and a brace of pistols with ammunition. Each militiaman, of whatever rank, provided his own uniform according to official regulations.

Each county was supposed to furnish enough troops to organize a regiment. The regimental officers divided the county into districts, each of which furnished a company. If a district became too populous the county was redistricted and a new company formed. Each company of light troops mustered every two months, except in the winter. The battalion muster was held in April and the regimental muster in October.

The musters occupied a single day, during which the troops were supposed to be under arms six hours. The roll call and inspection took place at 11:30 a. m. A system of fines, ranging from six dollars for a private to one hundred dollars for an officer, enforced attendance. The field officers were called together much oftener for drill and instructions. The manual of tactics prepared by Baron Steuben was the text book for this dicipline.

The governor could call out the militia whenever he saw fit. It was provided by law that the various companies serve in turn but in an emergency the gov-

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ernor called out those nearest, even though they had just returned from service.

Muster days were the chief social occasions for the neighborhood. The families of the men attended, a dinner, preferably a barbecue, being served. The younger folks spent the day in dancing, while the elders of the community talked over affairs of common interest, usually politics. If there were any candidates, and there nearly always were, as elections occurred annually, they were busy on the ground. The effects of this militia law are noticeable in our history long after the law itself had fallen into disuse.

Next in importance to the executive in the territorial government was the supreme court. This court was composed of three judges, the first of whom were William Clark, Henry Vanderburg and John Griffin. Clark died in 1802 and was succeeded by Thomas Terry Davis. Their work, as has been shown before, was difficult, and their support by the people doubtful. The pioneers did not share fully in that reverence for courts which is generally found among Englishmen. The delays and expenses of procedure often wore out their patience, causing them to take the law into their own hands. This mob spirit was oftenest shown against horsethieves—the most hateful of pioneer criminals—many of whom were taken from the jails and hung.

The judges, together with the governor under the first grade, had constituted the law-making body of the territory. As a legislature they sat three times. The first session was from January 12 to January 26, 1801. Ten laws and resolutions were enacted. One year later, January 28 to February 3, 1802, they met and enacted two laws. A third session closed, March 24, 1803, after passing a law and a resolution. All of these laws were of the most routine kind, providing

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for raising revenue, directing the practices of courts and lawyers, regulating ferries and lawyers' fees.[10]

Besides their law-making duties the territorial judges sat at Vincennes as a court of appeal. In this capacity they were a final resort in all cases at law.

They also sat at Vincennes on the first Tuesdays of March and September as a general court of record, whose writs ran in the name of the United States, and which had cognizance of all capital cases. These cases were tried in the county where the crime was committed, and for this purpose the judges had to go on circuit.

This circuit court was the chief court of the county. Upon it fell the burden of upholding the power of the government and teaching the people its supreme value. At its bar could be heard the speeches of the great lawyers who rode the circuit with the territorial judges, who, alone, could hold circuit court.

The courts described above were general or territorial courts. Below these were the county courts, chief of which was the court of quarter sessions, which met at Vincennes, for Knox county, on the first Tuesdays of February, May, August and November. Three justices, one being of the quorum, held these courts and tried petty crimes and misdemeanors. Co-ordinate with the quarter sessions was the common pleas court. This, also, was a court of record and met four times annually at the same time and place as the quarter sessions, the same justices presiding over both courts usually. Fines and costs assessed by these courts could be transferred to the oyer and terminer, or circuit court, and collected by the sheriff. The common pleas justices controlled the grand juries, and certified felonies to the higher courts for trial.

The county government under the judges was a simple form of the commissioner system. The town-

[10] *Laws of Indiana Territory, passim.*

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ship constable listed property, the commissioners levied the taxes, the treasurer received and disbursed the money. The general supervisory power of the judges remained the same as under the Northwest territory. The sheriff was at the head of the county administration, though the coroner was an officer of importance. A county clerk and county recorder performed substantially the same duties as they do today.

Little record has come down to us of township government. The county judges were empowered to divide the counties, but justices were commissioned for the whole county. The constables, in listing property, were to observe township lines, but in the law of January 19, 1801, no mention is made of assessors to represent the townships in the meetings of the county board. This law assumed, however, that all counties were divided into townships.

The people necessarily took little part or interest in the territorial government during the period of the first grade. Had local self-government been imposed on the early settlers it would have been a grievous hardship. They were engaged in a struggle with the forest that demanded all their time and resources. The first grade was a military government pure and simple. It was extended to the people of Indiana as a favor and not imposed as a restriction. The people were given the right, by the act organizing the territory, to assume the burdens of government as soon as they pleased, regardless of their numbers and the limitations set by the Ordinance of 1787.

It is not to be expected therefore, that any scientific theory of government was applied. The scanty population, composed of widely different groups, separated by hundreds of miles of wilderness, could not be united under one effective administration. Harrison's early administration was a temporary rule to protect the pioneers until such time as they should be

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able to assume the duties of self-government. There was no question of the prevalence of the New England plan or the Virginia plan of local government. A majority of the settlers of Indiana during its territorial days came immediately from the South, but it does not follow that they therefore reestablished southern institutions. It has been assumed by some writers that where the township is there the Puritan has been. The assumption is unwarranted. The township in some form has come wherever compact settlements of Englishmen have been made. And where these same people, in sparsely settled communities, have had no need for that expensive form of government they have established a county system. Expediency was the light that guided them. Officers have been chosen, and invested with power as social conditions made their services seem necessary.

### § 31 THE TERRITORIAL LEGISLATURE

THE territorial legislature consisted of two houses, a House of Representatives and a Council. The first House of Representatives was composed of the following seven men elected by the voters of the counties: Jesse B. Thomas, of Dearborn; Davis Floyd, of Clark; Benjamin Parke and John Johnson, of Knox; Dr. George Fisher, of Randolph; Shadrack Bond and William Biggs, of St. Clair county. These men nominated ten candidates from whom President Jefferson was to select five to constitute the Council. Jefferson requested Governor Harrison to choose the members of the Council, and he selected Benjamin Chambers, founder of Lawrenceburg, from Dearborn; Samuel Gwathmey, one of the trustees of Jeffersonville, from Clark; John Rice Jones, of Knox; Pierre Menard, the best known of the Illinois fur traders, from Randolph, and John Hay, also a fur trader, from St. Clair.

There were several important questions before the

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people at this time. The slavery question, manhood suffrage, regulation of the salt wells, and a modification of the land laws. These were all subjects for congressional legislation. Benjamin Parke was selected by the legislature to represent the territory in Congress and instructed to urge favorable action on these subjects.

There was plenty of work confronting the new legislature which met July 29, 1805. The criminal law had to be reformed to meet local vices. The frontier has always been the rendezvous of criminals, and the scene of much crime. Horse stealing was the most common as well as the most aggravating crime. The impossibility of protecting horses from thieves, the rapidity with which the horses could be made away with, the difficulty of overtaking them, the absolute necessity of horses to the pioneer farmer, and the consequent ease with which they could be sold, have made them a tempting mark for the thief in all countries. The theft of a horse might prevent a farmer from planting a crop. A law was soon passed punishing the horsethief with two hundred lashes and imprisonment until the horse was paid for, for the first offense, and with death for the second.

There were some other forms of stealing that were common. Hogs and cattle ran at large. Hogs, especially, were almost wild. Their owners paid little attention to them, further than to feed them during the last weeks of winter and mark the pigs at weaning time. The hog thief either marked the young pigs before the owner could, changed the mark after it was made, or killed the grown hogs regardless of marks. A fine of from $50 to $100 and twenty-five to thirty-nine lashes well laid on the bare back, was the penalty imposed by the legislature for this crime.

Society was rough and boisterous, and, in terri-

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torial Indiana, church and tavern were the two congregating places. One of these was the resort of the orderly class, the other the resort of the disorderly. The two extremes of society were the border ruffian and the border preacher. They were uncompromising enemies. The circuit rider was just as game for a fight as the rowdy. His meetings were often disturbed by the neighborhood bravoes. Every new preacher in the neighborhood had to establish his reputation as a fighter with those characters who attempted to break up his meetings. It is to the credit of our earliest law-makers that they put the law on the side of the preachers, where its weight counted for order and decency. Disorderly conduct, especially profanity, was punishable by fine, and, if that was not promptly paid, the offender was jailed.

Gambling and drunkenness were the common things among the lawless element at the taverns, though these were often the prelude to more serious crime. The ordinary gambler carried on his trade by means of a greasy pack of cards and draw poker. The dandy played billiards. Both as a tax measure and a police regulation the legislature put the tavern under the supervision of the county common pleas justices. The judges issued a license which cost the tavern keeper $12; and they also made out a schedule of rates which were certified by the county clerk and posted in the tavern lobby. If the tavern keeper or any one else kept a billiard table he was required to pay an annual fee of $50. This was bad legislation, for it necessitated the tavern keeper going into politics, and made crime profitable to the taxpayer.

The courts, then much more than now, were hidebound by precedents and technicalities. Juries, under the influence of eloquent lawyers, were disposed to do substantial justice, but there were plenty of petty-fogging shysters who took advantage of the technicali-

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ties and delays of the law to rob the unwary or evade justice. Under the slow process of the common law, and the tardy action of the regular courts, any one threatened with a suit could gather up his effects and leave the State before the law could lay hands on him. Evildoers could thus accomplish their purpose and leave the State, unrestrained. To remedy this a chancery court was provided for. It had power to enjoin a wrongdoer or issue a writ of *ne exeat* forbidding him to leave its jurisdiction. This court through lack of a judge proved useless. A statute of more value was one consolidating the common pleas, quarter session, orphans and probate courts into a single court called the county common pleas. The practice was simplified also at this time.

In the way of commercial development little was attempted. Each county court was required to get a set of standard weights and measures for the use of the people. A strict road law was enacted, requiring every man to work at least twelve days annually under supervisors appointed by the county courts. Millers were given the right of eminent domain in locating their dam sites. The toll of the miller was fixed by law, and he was required to grind "well and sufficiently and in turn." Sealed toll dishes and struck measures were required by law.

The law-makers had no consistent view of personal rights. On the one hand, they provided a way by which all persons imprisoned for debt might liberate themselves, and a way by which the accused might give bail, and a way by which orphans might be protected and cared for. All these tended to better the condition of the unfortunate. On the other hand, they enacted a law permitting indentured apprenticeship of boys and girls till the ages of twenty-one and eighteen, respectively. Another law concerning the introduction of negroes was not substantially different from the

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Virginia slave code, and finds no justification except in human slavery. It did little harm, few negroes ever being brought into the State, nevertheless it is the most infamous law ever placed on an Indiana statute book.

The meeting of the legislature brought out distinctly the various factions among the settlers. It was well understood from the language of the Ordinance of 1787 that the connection between Indiana and Illinois was only temporary. The Illinois settlements were all on the Mississippi. Their market was New Orleans. There was no inducement for them to come to Vincennes except to attend court or perform other governmental duties. The level prairies of Illinois were covered with water in winter, in summer none could be had, not even to drink. The trip by land or water was long and tiresome. The Illinois settlers were called upon to pay two-fifths of the expense of a government, which could neither protect their homes from the Indians, nor their commerce from the Spanish buccaneers.

There was dissatisfaction also in the Whitewater valley. Hardly had the first Indiana legislators returned home until a petition was in circulation asking Congress to reannex the "gore" to Ohio, where it had formerly belonged. Most of the settlers at that time traded at Cincinnati, and their sympathies were with the people of Ohio. Especially was the indenture law, enacted by the late Indiana legislature, distasteful to them. For these reasons, and on account of the great distance to, and inconvenient location of Vincennes, one hundred and five of the settlers joined in this petition to be taken from Indiana and attached to Ohio.[11]

The French inhabitants also protested against the new government. The levy of a territorial tax, especially the poll tax, caused dissatisfaction everywhere.

[11] *American State Papers, Miscellaneous*, I, 450.

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It lay at the bottom of the discontent in Illinois and on the Whitewater. The French citizens of Vincennes held a meeting August 16, 1807, passed resolutions denouncing the change to the second grade, and threatened with a boycott all those who had favored it.

The Ordinance of 1787 forbade slavery in the Northwest territory. This law had been carried out by the government of that territory, but when Indiana territory was organized the sentiment of its people was not opposed so strongly to slavery. Neither the governor nor the courts maintained any straightforward policy on the question. Slaves were held in all parts of Indiana territory. A majority of the people thought that the repeal of the section of the Ordinance forbidding slavery would largely increase immigration. With the purpose in mind of petitioning Congress to suspend this part of the Ordinance, a convention was held at Vincennes December 20, 1802. This convention was called and presided over by Governor Harrison, and seems to have been unanimous in its prayer for the suspension of the Ordinance, so far as it concerned slavery. A committee of the House of Representatives, of which John Randolph, a Virginia planter, owner of more than three hundred slaves, was chairman, reported against the petition. He pointed out in his report that Ohio was settling up rapidly without slaves, and that slavery was a curse to any community.

Similar petitions were presented to Congress by the Indiana settlers, and by the legislature at various times, but Congress turned a deaf ear to their prayers. Failing in their petitions, the people next turned to the territorial government for aid in bringing in slaves. September 22, 1803, the governor and judges adopted a "Law Concerning Servants" from the Virginia slave code. This allowed masters, expecting to come to Indiana with their slaves, to make a contract with them for lifelong slavery. This contract was salable,

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and by this means slaves were held, bought and sold in Indiana just as well as in Virginia.

A series of such acts disgraced our territorial legislatures.[12] With the separation of Indiana and Illinois and the growth of the settlements on the Ohio river, the anti-slavery sentiment gradually gained the upper hand. By 1810 the anti-slavery party was strong enough to repeal these pro-slavery laws.[13] The leaders in the anti-slavery cause were mostly of southern birth. The census of 1810 showed two hundred and thirty-seven slaves in the State and the number, no doubt, never exceeded two hundred and fifty. While most of these were held in the vicinity of Vincennes, there were slaves in all parts of the State.[14]

Self government and struggles over the elections have always gone on hand in hand. Democracy is always struggling for freer expression. The first representative assembly in Indiana regulated the election of members to the General Assembly. This merely applied the old law then in force in the Northwest territory. A high property qualification prevailed at that

[12] *Laws of Indiana Territory*, 1805, 5-25.

[13] *Laws of Indiana Territory*, 1810, 54. At the date of its repeal there were 237 slaves in the State. The institution of slavery never had any earnest supporters in Indiana, however, Yet in spite of this it was the cause of factional politics throughout the territorial era. Naturally those persons emigrating from the South were not bitter against slaveholders. The indenture law of 1805 was not an expression of the will of the people but rather a bit of sharp practice in the interest of a few politicians who no doubt were looking far into the future for political favors. Of these the "Dough face" representative from the Whitewater valley, Jesse B. Thomas, is a good example. No one will believe that he was representing Dearborn county when he was abetting pro-slavery measures in the Indiana General Assembly.

[14] J. P. Dunn, *Indiana*. This is a monograph on the slavery struggle in Indiana. It is an excellent piece of work. Mr. Dunn has published a number of slavery papers in *Publications of Indiana Historical Society*, II.

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time throughout the United States. This same General Assembly appointed a committee of two, John Rice Jones and John Johnson, two Vincennes attorneys, to codify the laws. These men gave us our first election law—approved September 17, 1807.[15]

This law provided that elections for representatives, the only officers then elected by the people in the territory, should be held every two years on the first Monday of April. Polls were to be opened at ten o'clock a. m. by the sheriff and two justices of the common pleas. Polls remained open two days, and if necessary three days. Two clerks kept the tally. If a man offered to vote, he was questioned by the judges as to his qualifications, and if permitted, he then named the man for whom he wished to vote, and his own name was written under that of his candidate. Voting was all done orally. Free male inhabitants, twenty-one years of age and possessed of fifty acres of land, could vote.

The election of a delegate to Congress was regulated by Congress. An act of February 27, 1809, permitted the people to elect the delegate at the same time they chose their representative and also gave the people the right to elect their own councillors. The same suffrage qualifications were prescribed as for the representatives. The election thus became a most important affair.

A new law of Congress, March 3, 1811, gave the right to vote to all taxpaying men over twenty-one years of age who had been in the territory one year. Office holders appointed by the governor were not permitted to be candidates. The territorial legislature, following the lead of Congress, prescribed the same qualifications, took the control of elections out of the hands of the sheriff, who was the friend of the governor, and placed it in the hands of the common pleas justices.

[15] *Laws of Indiana Territory*, 1807.

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Polls were to be opened in each township, instead of each county, by inspectors appointed by the justices. Written ballots were to be used. This law was signed December 19, 1811.

All through this period, from 1804 to 1811, there was outspoken hostility toward the control of the elections. The sheriff, who had immediate control, was appointed by the governor. The common pleas justices really controlled the sheriff, but, as the sheriff did the actual work, he got all the blame. The justices in turn were controlled largely by the tavern keepers whom they created. The influential politicians then were the sheriffs, justices and tavern keepers.

The founders of Indiana were quick to realize the close dependence of free institutions on widespread education. "Considering that a commonwealth, where the humblest citizen may be elected to the highest public office, and where the heaven-born prerogative of the right to elect, and to reject, is retained and secured to the citizens, the knowledge which is requisite for a magistrate and elector, should be widely diffused" ran the preamble to the charter of the Vincennes University. This charter was granted by the Territorial Assembly November 29, 1806. The new institution was placed in the hands of a board of twenty-three trustees, including all the public officers of the territory and presided over by the governor.

The faculty was to consist of a president and four professors, who were to offer instruction in the Latin, Greek, French and English languages, mathematics, natural philosophy, ancient and modern history, moral philosophy, logic, rhetoric, and the law of nature and nations.

The trustees were required to provide instruction for the Indians, to establish a school for girls, as soon as funds would permit, to found a library, and to organize and maintain a grammar school. They were

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further directed to raise the necessary funds by means of a lottery. Congress had previously, 1804, granted the territory a township of land for the use of the university. The secretary of the United States Treasury, Albert Gallatin, had located this in Gibson county. The General Assembly authorized the board of trustees to sell not more than 4,000 acres of this land, and lease or rent the remainder. The trustees asked permission of Congress to levy a small tax on salt for the benefit of the school, but the request was denied. This university continued until 1824. It had no adequate revenue and never flourished.[16]

Seminaries were chartered later at Salem, Corydon, Charlestown, Vevay and Vincennes. Literary societies were incorporated in many towns. A commendable spirit was shown, but, owing to the sparse population and the lack of funds, little real work was done in the way of public education.

## § 32 Aaron Burr's Conspiracy

During the summer and fall of 1806 the whole western country was thrown into excitement by the scheme of Col. Aaron Burr and Herrman Blannerhassett. There had been a certain amount of disloyal sentiment among the settlers west of the mountains for many years. The only ground for it now, since the purchase of Louisiana, was the taxes paid to the national government. It was pointed out to the people, by these plotters, that $400,000, the alleged tax paid each year, would go a long way toward building suitable roads in the Ohio valley.

Burr recruited his expedition of forty or fifty men around Pittsburg and Beaver, Pennsylvania, and picked up arms and provisions on his way down the Ohio. Blannerhassett joined him at his island home just below Marietta. The whole enterprise was represented

[16] *American State Papers, Miscellaneous*, 654.

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in its earlier stages as a trading voyage, but in Ohio and Indiana it was said to be a colonizing company on its way to the Red river, where Burr and Blannerhassett had purchased 800,000 acres of land. There is little doubt that Burr and Gen. James Wilkinson had planned a fillibustering, buccaneering attack on Mexico.

Maj. Davis Floyd and Robert A. New were Burr's agents at Jeffersonville. These men collected two boat loads of men to join the expedition, which left Jeffersonville December 16, 1806, in spite of the efforts of the territorial government to prevent it. The men were asked to bring guns and blankets and were promised eight dollars per month and a hundred acres of land on the Washita branch of the Red river. Mr. Burr succeeded in inducing a number of captains of produce boats to run their boats to Natchez, where he promised to buy both boat and produce.

The expedition proceeded on to Natchez, after meeting with some hindrance from the garrison at Fort Massac. At Natchez Burr was arrested and the expedition broken up. Nothing came of it in Indiana more than a temporary wave of indignation.[17] At a public meeting in Vincennes January 4, 1808, a resolution was adopted declaring Indiana had no sympathy with Burr. Floyd was indicted for treason, and upon conviction, sentenced to three hours' imprisonment at Jeffersonville.[18]

## § 33 Development of the Territory

Captain Thomas Hutchins of the English army, who was on the Wabash during the English occupation, 1764 to 1778, said there were about sixty families at

[17] Tradition has it that many of Burr's soldiers settled in various parts of Indiana, hiding, as they believed, from the government, which sought all of them as traitors. See Cockrum, *A Pioneer History of Indiana*, 471, 477; John C. Lazenby in *Indiana Magazine of History*, X. 259.

[18] *American State Papers, Miscellaneous*, I, 524; William H. Safford, *The Blannerhassett Papers.*

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Vincennes. These were farmers and traders. He estimated the value of their fur trade at $25,000 annually. Corn, wheat, tobacco, and many kinds of fruits were common. Ouiatanon was a small post on the west side of the Wabash and contained a dozen families. The fur trade there totaled $40,000 annually, he estimated. Capt. George Crogan, as mentioned above, estimated the population of Vincennes at ninety families, and that of Ouiatanon at fourteen families. He was there in 1765.

When Gen. Josiah Harmar visited Vincennes in 1738 he estimated the number of houses at near 400. Many of these were mere hovels built of poles or bark. The number of people he placed at about 900 French and 400 Americans. Their ancient prosperity was gone. The coming of the Americans had ruined their trade. Many of the inhabitants had to be supported at public expense during the winters.

The census of 1800 showed Vincennes to have a population of 714, the neighborhood 819, or a total of 1,533 for the settlement. By this time quite a settlement had sprung up on Clark's Grant. The census of 1800 showed a population there of 919. The total population of Indiana Territory, 5,641, was about evenly divided between what is now Indiana and Illinois. When Indiana and Illinois were separated, 1809, the population was estimated at 28,000, of whom 11,000 were west of the Wabash and 17,000 east of it. In the election for delegate to Congress, May 22, 1809, after the separation, Jonathan Jennings received 428 votes, Thomas Randolph 402, and John Johnson 81, making a total vote in the territory of 911.

The census of 1810 gave the territory a population of 24,520. In an industrial way this census showed a beginning. One cotton mill, making $150 worth of cloth, had been erected. There were 1,380 spinning wheels; 1,256 looms; one nail machine, making 20,000

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pounds of nails, worth $4,000; 18 tanneries, making $93,000 worth of leather; 28 distilleries, turning out annually 35,950 gallons of whiskey, worth $16,230; 3 powder mills, making 3,600 pounds of powder, worth $1,800; one wheat mill, 32 grist mills, and three horse mills, grinding 40,900 bushels of wheat; 14 saw-mills, cutting 390,000 feet of lumber, worth $3,900, and 50,000 pounds of maple sugar being made, worth $5,000.

Besides this there was made in the homes 54,977 yards of cotton cloth, 92,740 yards of flaxen goods, 61,503 yards of mixed, and 19,378 yards of woolen goods —a total product valued at $159,052.

Commerce was lively in the new settlements. The road from New Albany to Vincennes was thronged with settlers. A memorial was presented to Congress asking the United States to construct a post road from Dayton, Ohio, by way of the Falls to Vincennes. The purpose was to extend it onward to St. Louis. It would thus connect the capitals of Ohio, Indiana, and Illinois and furnish immigrants a way into the Missouri country. This was a forerunner of the National road. A company was organized to build a canal around the Falls of the Ohio. In 1805 it petitioned Congress for a land grant of 25,000 acres. The Indian war stopped all this activity.

In 1803 Indiana had 1,710 men enrolled in the militia, in 1806 there were 1,846, in 1811 there were 4,160, in 1814 there were 5,010. During most of this period there were two companies of United States regulars in the State, one at Fort Knox near Vincennes, the other at Fort Wayne.

Hundreds of boats loaded with immigrants floated down the Ohio every year. Most of these stopped in Ohio and Kentucky, but a fair proportion made their way to Indiana.[19]

[19] See the *United States Census Report*, 1810, for this data.

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## CHAPTER VIII

### INDIANA AND THE WAR OF 1812

### § 34 AFTER THE TREATY OF GREENVILLE

THE Indians who gathered with General Wayne at Greenville were a thoroughly beaten, humiliated band, defeated in the field by their enemies, the Americans, and deceived by their supposed friends, the English. The generation of Little Turtle had had enough of war, and were ready to bury the hatchet for good. For fifteen years thereafter they had lived quietly in their rude homes, at peace among themselves and with the white man. By 1811 a generation had grown up that had forgotten the miseries of the long war and that knew only of the steady encroachments of the whites.

The chief causes of the growing dissatisfaction of the Indians were the steady progress of white settlements into their hunting grounds, the enormous amount of whiskey furnished them at high prices—Harrison estimated that 6,000 gallons were distributed annually to the 600 warriors on the Wabash—and the continual meddling of the English. The fur trade was almost ruined by Napoleon's Continental Policy. All these factors combining, kept the Indians irritable, while the English emissaries fanned the growing anger until it burst into blaze.[1]

In this crisis of Indian affairs the power of the

[1] In the *American State Papers, Indian Affairs* I, 799, 801-804; II, 84; III, 453, 462, are printed enough letters to show the sinister influence of the English; see also Dawson's *Life of Harrison;* Drake's *Life of Tecumseh;* James Hall, *Sketches of History, Life and Manners of the West,* II, ch. ix.; Harding and Esarey, *Messages of the Governors of Indiana* (Index).

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peaceful Little Turtle gradually declined. His place of influence was taken by the war chief, Tecumseh. Tecumseh had taken an honorable part in the war against Wayne. He was known among the tribes as a fearless, upright, generous man, an opposer of the white man, especially of the white man's vices. It was his ambition to unite all the northwestern tribes into a grand confederacy, and drive the settlers across the Ohio river. It was the same fatal ambition which had misled Philip, and Pontiac, and later was to mislead Black Hawk.

Tecumseh and his brother, the Prophet, were born on Mad river, near Springfield, Ohio. Their mother was a Creek, their father a Shawnee, perhaps a war chief. Tecumseh in 1811 had long been a war chief; he learned from Little Turtle the patience, the cunning, and the strategy necessary to win in the game of war. The Prophet is said to have been a drunkard in his early life; but later he quit drinking whiskey and became a prophet, a spiritual leader of the tribesmen. He preached against drunkenness, witches, and the civilization borrowed from the white man. Both he and Tecumseh pleaded with their people to return to the customs of their ancestors, and renounce the vices of civilization.

The Shawnees had some years before migrated westward from their home in Ohio and, mingling with the Delawares, had settled on the headwaters of White river where Anderson now stands. From there the fame of the Prophet spread over the entire northwest. Hundreds of Indians left their homes on the Great Lakes and came on pilgrimages to see this savior of the people, this oracle. His visions and his sermons held the red men spellbound, and, in form and substance his teachings compare favorably with those of other men who have won large portions of mankind for their

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followers. Even President Jefferson was interested in the teachings of the Prophet.

Tecumseh took full advantage of the popularity of his brother. He talked with the visiting tribesmen, winning many of their chiefs to his own views. He taught that the Indians all belonged to one family, and should have one common government. Especially did he insist on their common ownership of the land, the common hunting grounds. No tribe, nor men, he persuaded his followers, had a legal right to sell an acre of their hunting ground to the white men. It had been left to them by their ancestors as a common inheritance. The chiefs had no right to barter it away for a pewter ringlet or a keg of liquor. September 30, 1809, the chiefs concluded a treaty with Harrison at Fort Wayne, by which they deeded 3,000,000 acres of land, a tract almost seventy miles square, for the petty trifle of $10,000—one-third of a cent per acre. The Shawnees and the Wyandots, both refugee tribes, having no claims to the ceded lands, joined in a bitter protest, threatening to kill the chiefs who signed the treaty, and to murder the first white men who came on the purchased land.

Meanwhile the Prophet, or as he was sometimes called, the Oracle, was carrying things with a high hand at his village of Andersontown. Some of the leading men of the tribe, including the old chief were put to death for witchcraft. Fearing an outbreak if this Indian Mecca was not destroyed, Governor Harrison notified the Shawnees to stop the agitation. He denounced the Prophet as a fool, as an agent working for the British at Malden, and demanded that the northern Indians be sent back to their homes.

The Shawnees followed the advice of the governor and drove out the Prophet and his followers. The latter went west and settled on the north side of the Wabash above Lafayette, near the mouth of the Tippe-

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canoe. The governor's letter had shown Tecumseh that his own hold on the Indians was not yet very firm. He, accordingly, became more cautious, but continued his work of organization by visiting the different tribes, and cementing his alliances as best he could. The Prophet, on the contrary, continued his work more boldly than before in the new village. In August, 1808, he visited Harrison at Vincennes, and succeeded in smoothing over all their difficulties, the two parting with friendly assurances.

The village on the Wabash, then known as the Prophetstown, soon became a worse nuisance than Andersontown had been. The connection with the British became more apparent and was finally acknowledged by the Prophet on one of his visits to Vincennes. It was while these negotiations were going on that the land cession at Fort Wayne was completed, September 30, 1809. This cession amounted to a declaration of war between Tecumseh and Harrison.

The warlike Wyandots were backing the Shawnee chiefs in the contest. Unmistakable signs of war appeared on the Upper Wabash. Messenger after messenger, Joseph Barron, Michael Brouillette, Touissant Dubois, Francis Vigo, Pierre La Plante, John Connor, William Prince, was dispatched to the tribes. All reported the same restlessness and signs of war among the red men. Warriors were breaking away from their chiefs, leaving their tribes, and joining Tecumseh and the Prophet.[2]

During the summer of 1810, Governor Harrison determined to summon Tecumseh to Vincennes for a conference. Joseph Barron was sent with an invita-

[2] In addition to references cited above see Jacob Platt Dunn, *True Indian Stories;* James R. Albach, *Western Annals;* Charles E. Slocum, *The Ohio Country.* The letters of Harrison are given in *Messages of the Governors of Indiana.*

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tion to the Shawnee brothers to visit Vincennes and lay their grievances before the governor. The Prophet received the messenger coldly, denouncing him in council as a traitor and a spy. Tecumseh, more politic than his brother, rescued Barron from his dangerous position and, after listening respectfully to his message, promised to come to Vincennes immediately.

The villagers of Vincennes were surprised August 12, 1810, by the appearance among them of Tecumseh with 400 armed warriors. The Indians showed no signs of hostility as they went quietly into camp in the grove at the north end of the village, near the Harrison home. The people who had flocked to the governor's home to hear the eloquent Indian orator, were in a panic until the dignified conduct of Tecumseh assured them of safety. Tecumseh refused to come into the house to hold council, and the meeting was therefore held under the trees in front of the governor's mansion.

In fearless, straightforward language Tecumseh set forth his plan of an Indian confederacy, his belief in the common ownership of the hunting grounds, and his determination to kill all the chiefs who had signed the late treaty at Fort Wayne. There could be no peace between the Indians and the whites, he declared, until the land was ceded back. When he had finished his speech he sat down on the ground, declining a seat beside the governor.

Governor Harrison, in his turn, pointed out to the Indian that if it had been the intention of the Great Spirit that the Indians should form one nation he would have given them one language instead of a score. He told Tecumseh that the Shawnees had no claims whatever on the ceded lands, and that they were interesting themselves where they had no business. The lands had been purchased from the Miamis,

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who owned it. The chief's eyes gleamed with anger as he denied these statements, and charged the governor and the President of the United States with sharp practice toward the ignorant tribesmen. The interpreter, Barron, thinking, perhaps mistakenly, that one of the chief's gestures was a signal to his Indian companions to do violence, gave the alarm. Only the calmness of the leaders prevented bloodshed. The council was broken up and the Indians withdrew to their camp.

Next day Tecumseh assured the governor that no violence had been intended by the Indians. The council was renewed, but no progress was made in the settlement of the trouble. Tecumseh and the other chiefs present stated their determination to go on in the course they had planned. Harrison informed them that their demands for the return of the land could not be considered.

Both parties retired from the council to prepare for war. The governor called on the United States for troops and instructions. Regulars from the forts on the Ohio were sent to Vincennes, and the militia were prepared for a campaign. The Indians began to visit Canada to secure arms. Small companies harassed the frontier, stealing horses and destroying property. These raids brought a threat from the governor, June 24, 1811, that unless they were promptly stopped he would attack the Indian towns.

One month later, July 27, Tecumseh with 300 men suddenly appeared again at Vincennes, when he again asserted his friendly intentions. The governor, thinking it the plan of Tecumseh to overawe him, paraded 750 militia. After this conference in which he once more demanded the return of the lands, Tecumseh sent his warriors home, and, with twenty companions, set out down the Wabash on a long mission to the south-

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ern Indians, not to return to Indiana till war had been begun and his league broken.[3]

## § 35 TIPPECANOE

GOVERNOR HARRISON received orders from the President, early in 1811, to break up the rendezvous of the Indians on the Wabash, if he deemed it best. Col. John P. Boyd[4] was ordered to transfer the Fourth Regiment of United States troops from Pittsburg to Louisville and report to Harrison for orders. The governor issued a proclamation calling for volunteers. Among the latter were many famous Indian fighters from Kentucky—Gen. Samuel Wells, Col. Abraham Owens, Joseph H. Daviess, Col. Frederick Geiger, Capt. Peter Funk, and Maj. George Croghan. Captain Funk brought a company of cavalry from Louisville.

Governor Harrison gathered up a small army of less than 1,000 men at Vincennes, with whom he intended to establish a post higher up on the Wabash. Leaving Fort Knox, September 26, he reached the highlands at Terre Haute, October 3. Here he began the construction of a small fort with blockhouses at three of its angles. The fort was completed by October 28, and properly dedicated by the eloquent Kentucky lawyer, Jo. Daviess, who named it Fort Harrison. This fort, which covered about an acre of ground, stood on a bluff two miles up the river from the old Wea village, and thirty or forty feet above the water's edge.

Here signs of Indian hostility appeared; a sentinel was shot, the frightened Delawares and Miamis came

[3] Albach, *Annals of the West*, 819, *seq; American State Papers, Indian Affairs*, I, 760, *et passim;* Rufus Blanchard, *The Discovery and Conquest of the Northwest*, 242; J. B. Finley, *Life Among the Indians*, 188; Dawson, *Life of Harrison; Executive Journal of Indiana Territory*, in *Publications of Indiana Historical Society*, II.

[4] Percy Cross, *Guerrilla Leaders of the World*, has a biography of Col. Boyd.

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to assure Harrison of their own friendship, and to report the war-like preparations of the Prophet. A deputation of friendly Indians was sent with a letter to the Prophet, but no one ever returned. Col. James Miller, the hero later at Lundy's Lane, was left in charge of the fort.

The main army left Fort Harrison, October 29, and directed its march toward the Prophetstown. It consisted of 910 men, 250 of whom were regulars under Boyd, sixty volunteers from Kentucky, and 600 Indiana militia. The mounted men, dragoons and riflemen, numbering 270, were under command of Wells and Daviess. In order to take advantage of the more open country on the western bank, the army crossed to the west side of the Wabash near the present town of Montezuma.[5] The deep gorge of Pine creek was approached with care for here Clark had found the Indians in 1780, as had Hamtramck in 1790. No Indians were seen, however, and the army marched on unmolested till it came within six miles of the Prophetstown. Indians then began to hover on the flanks of the army, so that the commander deemed it necessary to march in line of battle with front, flanks, and rear protected by scouts. The interpreters tried in vain to engage the Indians in conversation. Dubois undertook to carry a message to the town but the threatening attitude of the savages drove him back. The army was within a mile of the town, marching directly upon it, when the Indians came out and begged for a conference. After friendly greetings were interchanged, Harrison assured them of his readiness to go into council, if a suitable place for a camp could be found. A high point of ground on the banks of Burnett creek, one mile northwest of the Indian village, was pointed

[5] J. Wesley Whicker, in the *Attica Ledger-Press*, August 14, 1914; Elmore Barce, "Tecumseh's Conspiracy" in *Indiana Magazine of History*, 1915.

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out. There, after exchanging promises with the chiefs that no fighting should be engaged in till the morrow, Harrison led his army into camp. The site selected was an admirable place for a permanent camp, but not easily guarded against an Indian surprise. Low ground, covered with tall grass, willows, and vines, surrounded it. It was, doubtless, the best camp site in the whole neighborhood. Harrison was not put off his guard by the promises of the Indians. He disposed his little army in a hollow square, conforming his lines to the sides of the highland, with pickets far out in all directions. All necessary orders were given in anticipation of a night attack. The men took their positions in line and slept on their arms. The night was dark, and a drizzly rain fell at intervals.

All was different in the camp of the red men. Women and children made hasty preparations to flee for their lives if the Indian attack should fail. Tradition has it that the Prophet called his warriors to council, brought out the Magic Bowl, the Medean Fire, and the String of Sacred Beans. The touch of these talismans, he said, made the warrior invulnerable. After a trance and a vision, he told them the time for the destruction of the white men had come; the Great Spirit was ready to lead them; and he would protect the warrior from the bullet of the paleface. The war-song and the dance followed, till, in a fit of frenzy, the warriors seized their weapons and rushed out, a leaderless mob, to attack the Americans.

The American soldiers lay quietly on their guns, few of the militia slept, till about four o'clock in the morning when the sharp crack of a sentry's rifle awoke them. The plan of the Indians had been to creep on the sentinels, tomahawk them, and then rush from all sides on the camp. It was Harrison's habit, when in the Indian country, to call his troops to arms about four o'clock, and keep them in line till broad day-light.

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On the morning of November 7, he was just pulling on his boots, preparatory to having the army roused, when the attack was made. The Indian army, perhaps 700 strong, rose from the grass and with a yell rushed on the camp. Many of them broke through the confused lines only to be killed instantly by the roused soldiers. Most of the white men received the attack in line, but a few were not awakened in time. The campfires were put out and in the dim morning twilight the two armies engaged in a deadly struggle, hand-to-hand in places, in places separated by ten or twenty yards. The general mounted a horse and rode to the spot where the attack was hottest, ordered the reserves to the points hardest pressed, and watched over the battle as best he could. The lines were maintained until daylight showed where the Indians were. Then attacking parties were formed and a few well directed charges drove the Indians away. Their attack had failed; partly for want of a leader, for had a man like Little Turtle commanded the Indians it would have gone hard with the white men; partly on account of the skill of General Harrison and the remarkable behavior of his men, many of whom had never been under fire before.

The victory had been won at heavy cost; Colonel Owen was shot as he rode with the commander toward the point of the first attack; Captain Spencer, his first and second lieutenants, and Captain Warrick, all fell in this first onslaught; Jo. Daviess was killed in an attempt to raise the Indians by a cavalry charge; Capt. W. C. Baen, Lieut. Richard McMahan, Thomas Berry, Thomas Randolph, and Col. Isaac White also fell. Thirty-seven men lay dead on the field, and twenty-five more died from their wounds within a short time. One hundred and twenty-six were wounded, including Colonels Bartholomew and Decker, and Lieutenants Peters and Gooding. The numbers of the Indians

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engaged were never learned. Thirty-eight dead warriors were left on the field.

The next day after the battle Harrison gathered up his battered army, and, after destroying the Prophetstown with all its supplies, made his way slowly back to Vincennes, reaching Fort Knox, November 18.[6]

## § 36 Indian War on the Frontier

The defeat of the Prophet broke up his town at the mouth of the Tippecanoe. Leaving the Wabash tribes, among whom he was thoroughly discredited, he started on a long tour among the Pottawattomies, Kickapoos, and Winnebagoes. As a result of his work, bands of these Indians appeared on the remote frontier. Murders were committed at Chicago, and along the west side of the Wabash. Nearly all the advanced settlements were abandoned, the settlers falling back on the more populous communities. Governor Harrison gave orders, April 16, 1812, to the militia to hold themselves in readiness for immediate action.

Little Turtle, the aged chief of the Miamis, sent word from his home near Fort Wayne that the Miamis still stood by their treaty vow of friendship, though English agents were among them urging them on to war. The Delawares likewise renewed their pledge of friendship.

B. F. Stickney, the Indian agent at Fort Wayne, reported that a grand council of all tribes met on the Mississinewa, May 21, 1812. Twelve tribes were represented. The council lasted two days. English agents

[6] Harrison's official report is given in full in *American State Papers, Indian Affairs*, I, 776; Albach, *Annals of the West*, 835; *Niles Register*, I, 238; Capt. Alfred Pirtle, *The Battle of Tippecanoe, Filson Club Publications*, No. 15; *Indiana Magazine of History*, II, contains the journals of John Tipton and Isaac Naylor, both present at the battle.

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again urged the tribes to united war, but all the Indian speakers expressed opposition to a renewal of the struggle. These agents urged the Indians to visit Malden, where they would be presented with arms and ammunition. Stickney wrote that bands of Indians were passing Fort Wayne every day on the way to or from Malden. The Pottawattomie chief, Marpack, collected an army of hostile savages in the forest south of Detroit. This army seems to have been provisioned and armed by the English at Malden.

Meanwhile the frontier of Indiana was put in a state of defense. A row of blockhouses, or forts as they were called by the settlers, was constructed from Vincennes to Greenville. From May to August, always a time of great scarcity among the Indians, little damage was done on the border, but all were fearful of outbreaks as soon as the roasting-ear season opened.

In the meantime war was declared with England and Gen. William Hull, governor of Michigan, was sent to Detroit with a United States army.

The first blow of the Indian war was destined to fall on Fort Dearborn, where Chicago is now. On August 7, 1812, Capt. Nathan Heald received orders from General Hull to evacuate the fort and join the general at Detroit. Winnamac, a friendly Pottawattomie chief, the bearer of the dispatch, advised Captain Heald not to leave the fort. The Indians, as Winnamac well knew, were on the warpath. Captain Heald, in defiance of the advice of everybody, distributed his goods to the Indians, destroyed his ammunition and guns, dismantled the fort, and set out on the march to Fort Wayne. Captain William Wells with a relief party of friendly Miamis came just in time to join in the retreat.

As all but the rash commander expected, the little garrison, and women and children accompanying it, were attacked as soon as they were well out of the

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fort. Fifty-two men, women, and children were killed and twenty-eight captured.[7] Captain Heald showed in this affair about the same judgment and ability as his superior, General Hull, did in the surrender of Detroit the next day. These two disasters left Indiana exposed to the full brunt of the Indian attack. The storm broke along the whole frontier in early September.[8]

The massacre of the garrison at Fort Dearborn was the signal for a general uprising among the northwestern Indians. Only a few Miamis and Delawares, under the influence of Little Turtle, remained friendly to the whites. Blackbird, who had led in the massacre at Fort Dearborn, pushed on rapidly toward Fort Wayne with his Indian army. The fall of Macinac, Fort Dearborn, and Detroit destroyed all American authority among the Indians. Tecumseh hurried from tribe to tribe urging union in action. All were to join in one grand attack to sweep the invaders across the Ohio.

The British general, Henry Procter, assisted Tecumseh in planning the attack. September 1 was the time set when the attack should be delivered at Forts Wayne and Harrison. Major Muir with a small force of British regulars was to march up the Maumee and assist at the capture of Fort Wayne.

The garrison at the latter fort numbered about seventy, under the command of Capt. James Rhea. The fort also contained four small cannon. As early as August 28, parties of savages were seen loafing around in the neighborhood. Their purpose no doubt was to take advantage of any opportunity that might be offered to kill any soldiers that might stray too

[7] Milo Quaife, *Chicago and the Old Northwest*, index; a manuscript letter by W. J. Jordan, an officer under Heald, throws light on the massacre.

[8] *Historical Register*, II, ch. I, No. 15.

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far from the fortifications. The Miamis in the neighborhood still professed friendship and tried several times to gain admission to the fort.

All tricks having failed, the Indians opened fire on the sentinels of Fort Wayne on the night of September 5. An ambush cleverly planned on the morning of September 6 resulted in the death of two soldiers of the garrison. That night a direct assault was made on the fort in which, although about 600 strong, the red men were beaten back from the palisades without loss or damage to the garrison. The next scheme was to frighten the garrison by means of a Quaker battery which they constructed and placed in position during the night. An Indian flag the next morning announced to the amused garrison that the British had sent a battery, and unless the fort was surrendered immediately it would be battered down and the garrison put to the torture. There was perfect quiet then for three days, at the end of which time the Indians again resumed firing, which they continued briskly for twelve hours. On the following day the soldiers were startled by a frightful war-whoop resounding from all parts of the surrounding forest. Another desperate but fruitless assault followed.

General Harrison, who was stationed over at Piqua, Ohio, with an army, had sent Maj. William Oliver to notify the garrison that he was on his way with relief. Oliver reached the fort after some remarkable feats of daring, and it was the news he brought that nerved the little garrison through the seven days' battle. At the approach of the reinforcements, September 12, the Indians retired.[9]

For the purpose of terrorizing the border and pre-

[9] Blanchard, *Discovery and Conquest of the Northwest*, 289; Benson J. Lossing, *Pictorial Field Book of War of* 1812, 315; *Historical Register*, II, ch. 3, No. 2; Wallace A. Bryce, *History of Fort Wayne;* Mann Butler, *History of Kentucky.*

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venting any aid being sent to Fort Wayne or Fort Harrison, a band of warriors penetrated the forests to the Pigeon Roost Settlement in the northern part of what is now Scott county, September 3. Two men hunting on the outskirts of the little community were murdered. The Indians then fell on the unprotected settlement and killed, within one hour, another man, five women. and sixteen children. The murders were accompanied by all the cruelty of which the Indians were capable. William Collings, a man past 60 years of age, defended his house successfully against the cowardly wretches.

The Clark county militia were immediately called out and proceeded to the Pigeon Roost Settlement. Next day two companies of militia followed the trail of the Indians till dark, but gave it up. The Indians, numbering more than a dozen, were thus allowed to escape without punishment.[10]

At almost the same hour when Payne and Coffman, the hunters, were killed at the Pigeon Roost, two workmen were killed near Fort Harrison. The next day a party of Indians, chiefs from the Winnebago, Kickapoo, Pottawattomie, and Shawnee tribes, came to the fort and asked the commander, Capt. Zachary Taylor, for a conference the next day. They were from the Prophetstown, and Taylor suspected at once that they were on the warpath.

The next Captain Taylor heard of them was when he was awakened at eleven o'oclock that night by the report of a sentinel's rifle. The captain rushed out of his quarters to find that the Indians had fired the blockhouse at the lower corner of the fort. Of the

[10] Charles Martindale, *Publications of Indiana Historical Society*, II; Dillon, *History of Indiana*, 492; Good accounts are in *Western Sun*, September 26 and October 6, 1812. Lossing, *Field Book of War of* 1812, 314; John Ketcham, *Reminiscences;* John C. Lazenby, in *Indiana Magazine of History*, X, 263.

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fifty men in the garrison over half, including Captain Taylor himself, were on the sick list. By the time Taylor had paraded his troops the blockhouse, where all the supplies except the powder were kept, was burning rapidly, and the Indians were pressing the attack. The prospect looked gloomy. Some of the soldiers who responded were too weak to stand up. Two of the ablest jumped over the palisade and attempted to escape. Nothing saved the fort from destruction but the spirit of the captain. The blockhouse burned, but the barracks were saved by heroic efforts. The gap in the wall was only twenty feet and no Indian dared enter it. The troops were properly placed, order was restored, men repaired the fort where the fire had damaged it, and by daylight the Indians were repulsed.

The Indians merely drew back to the cover of the woods. It was necessary for Captain Taylor to get word to Vincennes. At length after several failures a messenger, on a dark night, succeded in passing the Indian lines and reaching Vincennes. Col. William Russell, who was collecting an army to make an attack on the upper Wabash towns, pushed on up the valley after receiving Taylor's letter, and soon relieved the fort. Captain Taylor lost six men, three killed and three wounded. Of the two cowards who attempted to run away, one ran directly into the hands of the Indians, by whom he was killed; the other was driven back to the walls of the fort by the Indians, and sneaked inside after they were repulsed.[11]

General Harrison reached Fort Wayne September 12, 1812, with over 2,000 men. Disappointed in not meeting the Indians in battle, he determined to punish the tribesmen at once. After resting his men a few

[11] *Niles' Register*, III, 90, which gives Taylor's official report. Lossing, *Field Book of War of* 1812, 317; *Historical Register*, II, ch. 3, No. 8.

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days he divided them into several battalions. One of these, under Colonel Simrall, was sent to destroy the town of Little Turtle on Eel river. Col. Samuel Wells led another division against the town of Chief Five Medals of the Pottawattomies on the Elkhart. Colonel Payne led still another division down to the forks of the Wabash to destroy the Miami towns in that neighborhood. All these towns were deserted by the Indians.

Years of peace had taught the Indians many of the simpler arts of civilization. Large fields of growing corn surrounded the villages. Log huts had largely taken the places of the earlier wigwams. Everything, nevertheless, was included in the vengeance of the invaders except the house of Little Turtle, built for him by the government at his village on Eel river. That aged chief had passed away, July 21, 1812, and had been buried with military honors by the garrison at Fort Wayne. A worse blow than the destruction of their towns could not have been inflicted on the savages. During the approaching winter there was nothing for them to do but go to Malden and beg from the British.

Harrison left his army under command of Gen. James Winchester while he hastened over to Piqua to organize forces for the recovery of Detroit. Winchester soon moved down the Maumee and the scene of war drifted over into Ohio.[12]

The urgent message of Captain Taylor, as noted above, brought Col. William Russell posthaste from Vincennes with 1,200 men. Russell reached Fort Harrison with his army, September 16, without having seen the enemy, but his provision train, together with an escort of eleven men, fell into the hands of the savages. A regiment of Kentucky volunteers under Colonel Wilcox remained at Fort Harrison. Russell

[12] *Historical Register*, II, ch. 3, No. 11.

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with the remainder hastened back to Vincennes, as he had been on his way to join Governor Ninian Edwards of Illinois in an attack on the Kickapoo Indians on Peoria lake.

Meanwhile Kentucky volunteers kept arriving at Vincennes and joining Gen. Samuel Hopkins until that commander found himself in charge of a well-equipped army of 4,000 men, 2,000 of whom were expert riflemen well mounted. On October 10, he left Vincennes with the mounted riflemen on an expedition against the Illinois tribes on the Illinois river. In four days he reached Fort Harrison, crossed the Wabash, and camped on the edge of the great prairie. On October 20, after meeting a prairie fire which did no damage, the army refused to march further. The general called for 500 volunteers to go on with him, but no one responded. The infamous rabble then came back to Vincennes and was dismissed from the service.

As mentioned above, Colonel Russell was to join the governor of Illinois and cooperate with Hopkins in an attack. Russell with two companies of United States regulars left Vincennes, October 11, 1812, and, joining Governor Edwards, fell on the principal Kickapoo town at the head of Peoria lake, inflicting a severe defeat on the Indians. More than a score of warriors were killed.

After returning to Vincennes and dismissing his mutinous troops, General Hopkins organized an expedition of 1,200 infantry, with which he set out up the Wabash for the purpose of destroying the Prophetstown. His three regiments were commanded by Colonels Barbour, Miller, and Wilcox, while Captain Taylor led the regulars. On November 11 he left Fort Harrison by the road Governor Harrison had made the previous year. The expedition continued up the east side of the Wabash and reached the Prophetstown, November 19. Butler was sent from there with 300

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men to destroy a Winnebago town near the mouth of Wildcat creek. The Prophetstown and a large Kickapoo village of 160 huts, a short distance down the river, together with a large amount of provisions stored in the three towns, were destroyed.

No Indians were met until two days later when a small force of soldiers was attacked and one man killed. On the next morning a party of sixty horsemen were ambushed on Wildcat creek and eighteen killed. The Indian camp was broken up, but the weather suddenly turning bitter cold, the army returned hastily to Vincennes.[13]

Driven from their home towns, the Miamis, now nearly all in the service of the British, had gathered in the Mississinewa towns. There they had been joined by the Delawares and the Munsees from White river. They were in threatening distance of the settlements both in Indiana and Ohio. For this reason General Harrison, then at Franklinton, Ohio, decided to destroy them. A strong column was accordingly made up of Colonel Simrall's Kentucky dragoons, some United States dragoons under Maj. James V. Ball, a corps of United States regulars, and some Pennsylvania riflemen. The force numbered about 600 men.

On November 25, 1812, Col. John B. Campbell, who commanded the expedition, left camp for the attack on the Mississinewa towns. His route led by Springfield, Xenia, Dayton, Eaton, and Greenville. At Dayton he was delayed till December 14, by the lack of horses. Winter had set in and the frozen ground was covered with a mantle of snow. By forced marches he covered the remaining eighty miles in three days.

In the early morning light of December 17, the troops attacked an Indian town, killed eight warriors, took forty prisoners, and burned the town. Leaving

[13] Hopkins' reports are given in *Niles' Register*, III, 171, 199 and 204.

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the prisoners in charge of the infantry, the horsemen pushed on down the river and destroyed three villages, among them that of the Munsee chief, Silver Heels, with their winter stores, including quite a number of cattle and horses. That night they returned to the infantry and went into camp. This camp was on the north bank of the Mississinewa river, near the mouth of Metociniah creek, about a mile from the present village of Jalapa, in Grant county. The troops camped in the form of a square, the angles protected by light fortifications.

Here about five o'clock the next morning they were furiously attacked by a force of about 300 Indians who had crept up under cover of a rocky bluff on the north bank of the river. For over an hour a bloody battle raged at close quarters. The onslaught was desperate and it was met bravely. Captain Pierce, who commanded the guard, was tomahawked as he stubbornly contested the battle. With the coming of daylight the fire of the riflemen put the Indians to rout, but not until they had killed eight and wounded forty-two white men. Fifteen Indians were found dead on the field. The expedition made its way slowly back to headquarters at Franklinton, and the fighting in Indiana was over for the year.[14]

## § 37 Life on the Frontier

Every possible precaution was taken by the territorial and national government to protect the Indiana frontier during the year 1813. Three plans were adopted to insure the safety of the settlers.

First—Enough blockhouses were constructed so that each farmer could leave his family in one. This

[14] Lossing, *Field Book of the War of* 1812, 347; *Niles' Register*, 111, 300; Sarah J. Line, in *Indiana Magazine of History*, IX, 187; Campbell's Report to Harrison is in the *State Papers*, 152, and *Historical Register*, II, 40.

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necessitated one in every settlement. Within the present limits of Knox, Daviess, Martin, Orange, Jackson, Bartholomew, Jennings, Ripley, Franklin, Decatur, and Wayne counties most of these forts were located, although some were located farther from the border in Gibson, Pike, Clark, and Washington counties.

Second—The militia were organized carefully and some of them kept on duty all the time. The reports show that Indiana had 4,160 men enrolled. Added to these were large numbers of Kentuckians who volunteered for duty in Indiana. While the militia were not under very strict discipline they did much hard service, usually furnishing their own arms and provisions. There were five or six regiments. Sixteen companies were called into active service.

Third—The United States employed from one to five companies of rangers—militia sworn into United States service. At first a single company was organized to guard the country around Vincennes. On November 23, 1812, Jonathan Jennings, the Indiana delegate, offered a resolution in Congress giving the President power to organize two more companies. Reports were coming in daily showing that raids were being committed by the Indians along a border of 200 miles in Indiana. By act of February 25, 1813, the President was given authority to raise ten additional companies. Acting under this law, the President authorized Acting Governor Gibson to organize four new companies of rangers. Each company consisted of about 100 men commanded by a captain.

No attacks in force were made by the Indians in Indiana during the latter years of the war. During the early months of 1813 they kept the border in terror by a series of petty raids. Scouting parties penetrated deep into the settlements to steal and murder. A man was killed on the Wabash below the mouth of White river; a week later two men were killed just

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below Vincennes on the Illinois side. Ten days later, March 13, two men were killed ten miles from Brookville in Franklin county. On the same day three men were killed in Wayne county. Five days later one man was killed and three wounded near Vallonia, in Bartholomew county. On March 28, a party of men in boats were attacked below Fort Harrison, two of whom were killed and six wounded. On April 16, two men were killed eight miles west of Vallonia.[15]

Such outrages as those just mentioned naturally called for vigorous effort on the part of the rangers. The Indians found the swamps and dense forests of Driftwood a complete mask to their depredations. They would slip into a neighborhood, kill a farmer, preferably at daybreak when he came out to feed his stock, gather up the horses on the place, and disappear into the impenetrable thickets of Driftwood before the rangers could get on the trail.

At first the rangers tried to patrol the whole frontier, but this was soon found useless. Next, small companies were stationed at advantageous places with orders to pursue any savages that made their appearance.

As stated above, a man was killed near Vallonia, March 18. Maj. John Tipton, the most skillful of the rangers, with twenty-nine men took up the trail of the savages. Twenty-five miles up Driftwood he found them camped on an Island. Several of the Indians were killed, the rest escaping by swimming the river. On April 16, the same captain with thirty-one took the trail of a band of Indians who had murdered two men west of Vallonia. Swimming five streams, wading for

[15] The best accounts of these outrages are given in *Niles' Register*, and the *Western Sun*. These were contemporary papers; for other accounts see John Ketcham's *Autobiography;* writings of John Tipton; letters printed in Cockrum's *Pioneer History of Indiana;* and various county histories.

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miles in swamps waist deep, in almost continuous rain, he followed them three days before he overtook them. He intended to surprise them in their camp that night, but following too closely, they came upon an Indian who had stopped to fix his pack. Warned by the shot, the Indian's companions abandoned their horses and fled, following the high hills bordering Salt creek toward the Delaware towns on White river.

These and other evidences led the people to believe that the Delaware Indians on upper White river were doing the mischief on the border. For the purpose of destroying these towns Col. Joseph Bartholomew, commander-in-chief of the militia, mustered an expedition of 137 men at Vallonia in June, 1813. There were three companies of rangers under Captains Williamson Dunn, James Bigger, and C. Peyton, John Tipton and David Owen acting as guides.[16]

They left Vallonia, June 11, and in four days reached the Delaware towns 100 miles distant. The towns were already deserted and most of them burned. Twelve miles lower down, another town was found with a plentiful supply of corn. A small party of Indians on their way to this town after corn was attacked and one of them killed. It was thought that the Indians were using these towns as a half-way place in their attacks on the settlements. Everything was destroyed and the expedition returned home, arriving June 21.

With a view to further punishment of the Indians, Col. William Russell of the Seventh United States regulars, and commander of the department, gathered another force at Vallonia as soon as Bartholomew had returned, to strike the towns on the lower Mississinewa. He left camp at Vallonia, July 1, with 573 men and marched by way of the Delaware towns

[16] The roster of these companies is given in John Ketcham's *Autobiography*.

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to the Mississinewa. He found these towns all deserted. It seems no Indians had been there since early spring. From there, Russell marched to the Eel River village, thence to Winnamac, Prophetstown, the Winnebago town on Wild Cat creek, and thence to Fort Harrison. Not an Indian was seen. Small parties left the main force at the Prophetstown and crossed over to the settlements on the Ohio river, but no trace of savages could be found. All the old Indian fighters of Indiana and Kentucky, among them Maj. Zachary Taylor, joined Russell in the invasion. It showed beyond a doubt that the Indian power in Indiana was broken.[17]

After the Indians had been defeated at Fort Wayne and Fort Harrison, especially after the bloody disaster on the Mississinewa, the discouraged warriors began to withdraw out of harm's way. The Miamis and Delawares, who had avowed friendship for the white people, moved over into Ohio under the immediate protection of the American army. The Shawnees, together with those Miamis who had joined them, under the Prophet returned to Detroit and placed themselves under the protection of the British.

The British were forced to evacuate Detroit in September, 1813. A few days later they were annihilated at the Battle of the Thames. Tecumseh was killed. There was no choice for the Indians but to make the best possible terms of peace with their enemies, the Americans. Ottawas, Chippewas, Pottawattomies, Kickapoos, and Miamis came to Detroit and asked that the war cease. Their condition was pitiable. The women and children were naked and starving. They hardly dared go on hunting trips for fear of

[17] Dillon, *History of Indiana*, 520, *seq.* *An Autobiography*, by John Ketcham, gives an excellent picture of conditions around Vallonia. The muster rolls of the ranger companies are given, those of James Bigger and Williamson Dunn entire. An excellent contemporary account of the War of 1812 is a *History of the Late War*, by an American, Baltimore, 1816.

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the American rangers, who took no prisoners. The haughty warriors, who a year before had met in high spirits and plotted to drive the Americans across the Ohio, were now compelled to beg bread at the hands of their conquerors.

An armistice was agreed to between Major General Harrison and the assembled tribes at Detroit, October 14, 1813. Over 3,000 Indians at Detroit and 1,500 at Fort Wayne had to be fed by the government during the following winter. The women and children were provided with clothing and shelter and the warriors with guns and ammunition that they might again engage in the chase.

On July 8, 1814, General Harrison and Gen. Lewis Cass met the tribes at Greenville and explained to them the terms of a new treaty. This treaty, the Second Treaty of Greenville, did not materially change the relation between the whites and savages.

The war was extremely disastrous to the red men. It left them a hopeless, sullen, broken people. Had it not been for the interference of the English they could have been spared the humiliation. The English drew the storm down upon them and then gave them no aid. From the fall of Detroit to the defeat on the Thames the British troops did none of the fighting. The conduct of the English was as cowardly as it was disastrous to the Indians. The latter had made considerable progress in civilized life before the war, but this was all destroyed. What was worse, the pioneers lost all respect for them, and began a systematic effort to drive them from the border.

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## CHAPTER IX

### FROM TERRITORY TO STATE, 1813-1816

### § 38 New Settlements

The year 1800 found very few settlers in what is now Indiana. The Treaty of Greenville in 1795 had established the boundary line between the land of the United States and that set apart for the northwestern Indians and had given to the Indians all lands within the State except a small tract six miles square where Fort Wayne now stands; a tract two miles square on the Wabash, where the portage path from Fort Wayne struck the river; a tract six miles square on the Wabash river at Ouiatanon; 149,000 acres at the Falls of the Ohio, known as Clark's Grant; the land around Vincennes, and a strip of land lying east of the line drawn from Fort Recovery down to the Ohio river opposite the mouth of the Kentucky.

Almost all of the white inhabitants lived under the protection of the stockade at the post of Vincennes. What farming there was, was done in the immediate neighborhood of that post. Few Americans had settled at Vincennes this early. On the north side of the Ohio river, at the Falls, there were a few settlers on Clark's Grant. This tract, embracing 149,000 acres, had been conveyed by the General Assembly of Virginia in 1786 to General Clark and his soldiers as payment for their services in capturing Vincennes and Kaskaskia.

The townsite of Clarksville had been laid out in 1783. Emigrants began to arrive soon afterwards. The village of Springville with its stockade, Fort Steu-



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ben, and its company of soldiers, was most attractive to these new settlers. This village became the county seat of Clark county, and remained so until 1802, when Jeffersonville was founded and made the county seat. It is said that this latter city was planned by Thomas Jefferson. Only alternate squares were to be used for building sites, the others being reserved as parks and city gardens.

Among the distinguished citizens of this early settlement were the first governor, Jonathan Jennings, a New Jersey Presbyterian, Gen. John Carr of Pennsylvania, who served with distinction in the Battle of Tippecanoe and in the War of 1812, and Judge Charles Dewey of Massachusetts, a leading lawyer and lawmaker in the early history of the State.

Another settlement that dates back into the eighteenth century was in Dearborn county. This settlement was in and around where Aurora now stands, and the Morrisons, Gards, Geralds, Hardins, and Grays were among the early settlers. A mill was built here in 1800. The Baptist church was organized in 1807. Lawrenceburg, the county seat, was laid out in 1802 by Samuel Vance, James Hamilton, and Benjamin Chambers, all of whom had seen service in the Revolution.

Switzerland county was also inhabited at this time, a settlement having been made in 1795 by Heathcote Pickett and family near Plum creek, about three miles above Vevay. This family was joined during the next two or three years by the Dickinson, Cotton, and Gullion families, who settled on the lowlands along the river. During the year 1796 there came to this neighborhood John James Dufour from Canton Vaud, Switzerland. He was looking for a location for a colonization society, and made the selection of this land between Indian and Plum creeks, purchasing from Congress 2,560 acres. The company did not reach the new home until 1803. The Swiss re-established their

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Vevay of Switzerland in the new Vevay in Switzerland county, Indiana.

All told, the settlers in the four counties did not exceed 1,000 persons. Besides these there were numerous hunters, trappers, and squatters along the western, southwestern and southern borders. About these there is an endless amount of tradition in the border counties, and many of the traditions have been preserved in the county histories.

In discussing the early settlements of any of the western States one cannot do more than indicate the main lines of immigration. The movement was like the skirmish line of a great army searching out every nook and corner of the new country. The pioneers advanced along all possible lines of travel and located in the most unexpected places. Many of their actions are unexplainable to us after the lapse of a century. The prevalence of game and pure water was an attraction that led many of them. Others kept to the highland to avoid the fevers and the ague. Some sought the timber-land; others for exactly opposite reasons sought the prairies. No single explanation will fit many cases.

It is impossible to get an adequate description of the migration. The progress, however, was not different from that of the settlement of the other early western States. An impartial history would compel us to tell the story of every individual settler, since there is little reason why one settler or one settlement was more significant than another. There was no waiting for Indians to become quiet, no waiting for roads to be built, no waiting until the government had built stockades, or sent troops to furnish adequate protection. As game became scarce in the woods of Kentucky and Ohio, the hunters crossed into Indiana. When they found suitable locations, they became squatters; when the land office opened in the neighborhood, they be-

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came settlers; and when a few more joined them, a government was organized and they became citizens. Thus in 1800, Woolsey Pride settled at White Oak Springs, Pike county. The following year he was joined by the Mileys, Conrads, Tislows, Smiths, and Alexanders. By 1811 a good sized community had been formed and a stockade fort was erected on the present site of Petersburg.

As early as 1800, white men crossed over into Harrison county from Brandenburg for purposes of hunting and farming. In 1802 Squire Boone, brother of Daniel and Mose Boone, settled in Grassy Valley, back six miles from the Ohio. Dennis Pennington came the same year. Before the close of 1807, Samuel Pfrimmer, Davis Floyd, Thomas Posey, and Thomas Wilson had formed a numerous neighborhood. Frederick Mauck had established a ferry at what is now Mauckport as early as 1808. No ferry on the lower Ohio was used by more emigrants than this. General Harrison bought a farm at Wilson's Spring near Blue river and erected a mill in 1806. Corydon was laid out in 1808 by R. M. Heth.

It was from this stream of immigration crossing at Mauckport and Oatman's Ferry that the first settlers of Floyd county, Robert La Follette and Patrick Shields, came. They located at Georgetown in 1804, at least eight years before the Scribner Brothers laid out the town of New Albany.

Some time during the year 1805-6 Jesse Vawter led a small company across the Ohio at what is now Madison and opened up a settlement on the hill back of the present town. This was six years before John Paul entered the townsite of Madison and laid off the town.

Other settlers went deeper into the forests of Indiana, and, in a few years, the second tier of counties began to fill up. A party of hunters led by John Kimberlin and his two sons, settled on Kimberlin creek

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in Scott county early in the year 1805, and erected a cabin of white oak logs. William Flemming, Peter Storms, Hiram Wingate, and William Estil are some of those who followed in the succeeding years. In 1810 was laid out the town of Lexington, one of the oldest towns in the State. Here a bank was established in 1815 and a paper published, called the *Western Eagle.*

In the same year in which these early settlers located in Scott county other immigrants were crossing the Ohio at points in Warrick county. Among the first was Bailey Anderson, for whom Anderson township was named. Hudson Hargrave, Joseph DeForest, Ratliff Boone, for whom Boone township was named, Thomas Campbell, for whom Campbell township was named, and John Hart, for whom Hart township was named, followed at about the same time. These men went to Henderson, Kentucky, to have their milling done. Boonville was established in 1818 and named for Ratliff Boone.

The first settlers of Daviess county were from the Carolinas and Kentucky. In 1806 came Eli Hawkins from South Carolina; he located near Maysville. A small part of western Daviess county was included in the Vincennes survey, the lines running at an angle of forty-five degrees from north to south. On these lands along the east bank of White river most of the early settlers located. Daviess was one of the counties most exposed to Indian depredations. To protect its fifty-five families five forts were built during the winter of 1811 and 1812. These were named from their location, Purcell's, Comer's, Ballow's, Coleman's, and Hawkins's. Three forts were added during the war—Flora's, Palmer's, and Jones's. This is mentioned, not because it was a condition peculiar to Daviess county, but because it was the common thing in all the counties settled before 1812. There were from six to fifteen

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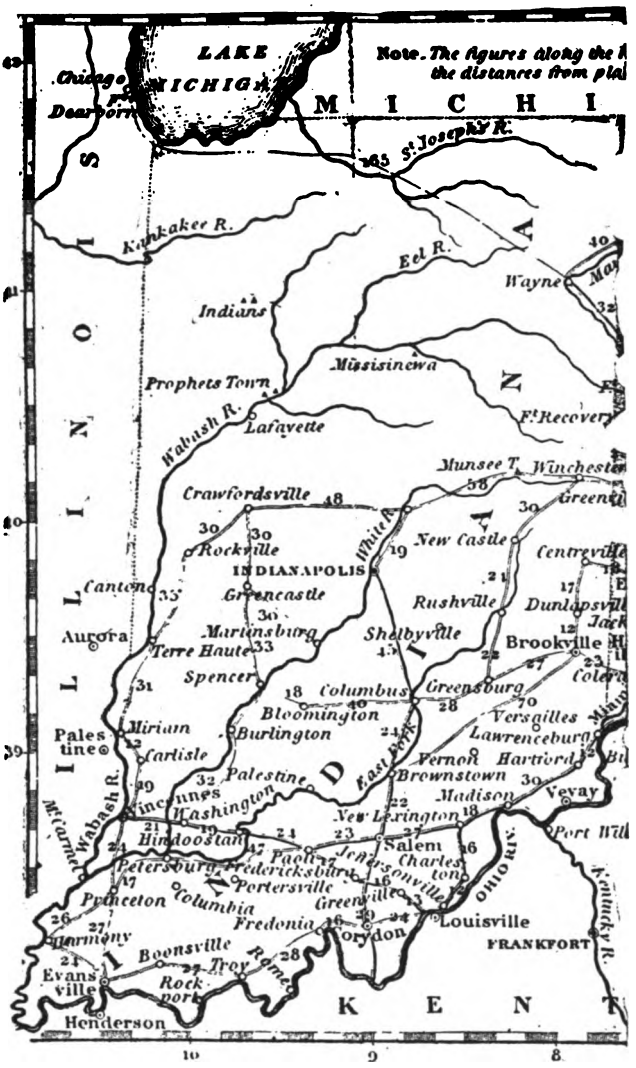


EARLY INDIANA TOWNS

From William Darby's *View of the United States*, 1828

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families gathered around each fort. Each fort, therefore, had a garrison of about twenty rifles. Remains of similar forts were recently to be seen on the west side of White river in Knox county. All these forts were in Knox county at that time, since Daviess was not organized till 1817, at which time Washington was located and platted. The settlers mentioned came by the Wabash and White rivers.

The early settlers of Posey county, the Duckworths, McFaddens, Hutchinsons, Lynns, and the Wagners, came from Virginia, Carolina, Kentucky, and Pennsylvania. The dense forests of Posey county were fine hunting grounds, but they looked rather formidable to the prospective farmers. The settlers located about 1807. Audubon, the naturalist, was a frequent visitor in this county. Evansville was settled by Col. Hugh McGary in 1812.

About the same year in which the hunters were penetrating the wilderness of Posey county, others were making their way into what came to be Gibson county. Here came William Herrington, Jesse Montgomery, Daniel Postman, an early judge of the county, Robert M. Evans, for whom Evansville is named, James Hazleton, Thomas Chapman, who was the founder of Princeton, and others. The first settlement was a short distance west of where Princeton now stands. Princeton was laid out in 1814.

In 1806 the settlers braved the hills of Crawford county, settling in the northern part. It seems that the first settlers were a part of a large colony that scattered over the northern part of Harrison county and the southern part of Orange and Washington counties. Among those who came to Crawford county were Thomas Stroud, E. E. Morgan, William McKee, and William Frakes. In 1807 came Peter Frakes, William Van Winkle, John Peckinpaugh, followed shortly by Captain Posey, the Conrads, the Clarks, and the Leav-

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enworths, who built a water mill at Milltown. The latter also laid out the town of Leavenworth in 1818. This county was a great hunting ground at that time.

About the same time the settlers crossed to the east bank of the White river in Daviess, others crossed the Ohio at various points in what is now Perry county, and so closed up the last gap in the front of the invading army. The Perry county pioneers located along the Ohio river or nearby on the tributary creeks. William Taylor and Joseph Wright settled at Rome, Thomas and Rev. Charles Polk in Polk's Bottom just below. In 1811 Mr. Richardson built a gristmill on Deer creek. Uriah Cummings built a sawmill on Poison creek in 1812. This does not intend to mean that these were the first white persons in the county, for the headwaters of Deer, Poison, Anderson, and Oil creeks were fine game ranges, to say nothing of the natural shelters of their overhanging cliffs, some of which will shelter a regiment of men in any kind of weather. There were springs of pure water and hills free from malaria and "milk sickness." Here hunters and squatters had lived for at least ten years before the first land entries were made.

It is not possible much further to note the progress of this invading army of settlers, crossing the Ohio into Indiana or entering by the Ohio river from the east. Its picket lines kept pushing on into the northern wilderness along the valleys or going boldly through the forest where there was no stream.

In 1810 its outposts were in Lawrence and Monroe counties. In the same year settlers located down at Mt. Pleasant in Martin county. A year later others located in and about Vallonia in Jackson county. They crept steadily up the Whitewater, appearing in Fayette county in 1813, in Ripley in 1814, in Jennings in 1815, Randolph in 1816, in Hancock, Rush and Shelby in 1818. The western wing pushed up the Wabash and

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White rivers, settling at Spencer in 1815; at Gosport about the same time; at Terre Haute in 1816; in Greene county in 1817, though there were hunters and traders at Point Commerce as early as 1812; in Morgan county in 1819; in Vermillion in 1816, and in Clinton in 1818.[1]

The first results of the War of 1812 on the development of Indiana Territory were disastrous. The inroads of the Indians during 1812 broke up many settlements. The Maria Creek settlement in Knox county, the frontier then on the Wabash, was abandoned. The women and children were taken back to Vincennes or further south, some being taken back to their old homes across the Ohio.[2] The settlers around the forks of White river were huddled together in the little forts. Their friends back at home, who were making preparations to come out to the new country, were warned of the danger and instructed to stay at home till the storm subsided. Around Vallonia a large number of settlers were held, protected by the rangers, and a spacious fort, though even from here many withdrew to Clark county, and it was thought for a time that the little colony would break up. The Pigeon Roost Massacre drove the pioneers of Clark and Jefferson counties back on the protection of the Ohio river settlements.

[1] The best single reference on the early settlements of Indiana is an *Illustrated Historical Atlas of Indiana*, published in 1876 by Baskin, Forster & Co. The various county histories give valuable data, such as Young's *History of Wayne County;* a *History of Dearborn County;* a *History of Knox and Daviess Counties*, and others have valuable reminiscences and facts drawn from the county records. No comprehensive first-hand study of the subject has been made. Much valuable material is contained in papers read at "Old Settlers' Meetings," but no collection of these is available. Waldo Mitchell, "Growth of Indiana, 1812-1820," *Indiana Magazine of History*, December, 1914; Carlos T. McCarty, "Hindostan, a Pioneer Town," *Indiana Magazine of History*, June, 1914; Julia L. Knox, "Vevay," *Indiana Magazine of History*, XI, 216.

[2] *Indiana Magazine of History*, "Polke Memoirs," Vol. X, No. 1.

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On the Whitewater the Quakers maintained an advanced position in Wayne county, protected by such small stockades as Boyd's and Holman's Forts. Few if any of these settlers had advanced beyond the present line of the National Road. Salisbury was the center of this settlement. The Whitewater valley was the most thickly settled part of the State. Brookville, Centerville and Lawrenceburg were its three towns. For twenty years Brookville was the best-known town in the State.

It will be noticed that the frontier line of 1812 extended from Vincennes east almost to Jefferson county, thence following roughly the line of the Twelve Mile Purchase. Except for the finger of settlement running up the Whitewater valley the line of the frontier is pretty accurately marked now by the Baltimore and Ohio railroad. To the north of this line no white person lived, except, perhaps, a few traders around such posts as Fort Wayne, Andersontown, and Terre Haute.

The editor of *Niles' Register*, August 6, 1814, in summing up the situation of the West, called Indiana a great tract of rich land, well watered by such fine streams as the Ohio, Wabash, White, and Whitewater rivers, which but for Indian interference would long before have had a numerous population. The census of 1810 showed 24,526 persons, of whom only 237 were slaves.

## § 39 Removal of the Territorial Capital to Corydon

From the time John Gibson arrived at Vincennes, July 4, 1800, to May 1, 1813, that town was the capital of Indiana territory. There was no hope even among its own citizens that it would remain the permanent State capital. It seems to have been the general understanding that the Northwest territory would be di-

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vided by the Great Miami and the Wabash rivers. This would inevitably leave Vincennes on the boundary. As long, however, as Indiana territory included the Illinois Country, Vincennes would remain the capital. With the organization of Illinois territory, February 3, 1809, the balance of power in the Indiana Assembly shifted to the east and the struggle for the removal of the capital began.

The territorial Assembly, however, soon found an obstacle in its road. The governor, who owned valuable property in Vincennes, had an absolute veto on all its bills. This was no merely imaginary danger, for Deputy Jennings presented a memorial to Congress, January 20, 1812, complaining of the arbitrary conduct of the governor in vetoing a bill to change the location of the capital.

The matter of relocation came up at the 1810 session of the Assembly. Lawrenceburg, Vevay, Madison, Jeffersonville, and Corydon were aspirants. The question was referred to a committee instructed to select a new site.

This site was to be north of Driftwood, east of White river and at least twenty miles from the Indian boundary which then ran from near the present site of Covington to a point about twenty miles east of where Mitchell now stands. It was to be as nearly central as possible to Greenville (Ohio), Madison, New Harmony, and Covington, the four corners of the inhabited part of the territory. If the committee failed to agree it was to lay its evidence before the governor, who was then to make the final selection. A petition was at once prepared and sent to Congress asking a donation of four sections of land on the main branch of White river.[3]

[3] *Annals, Eleventh Cong.*, 508; *Ibid*, 748, for favorable report of congressional committee.

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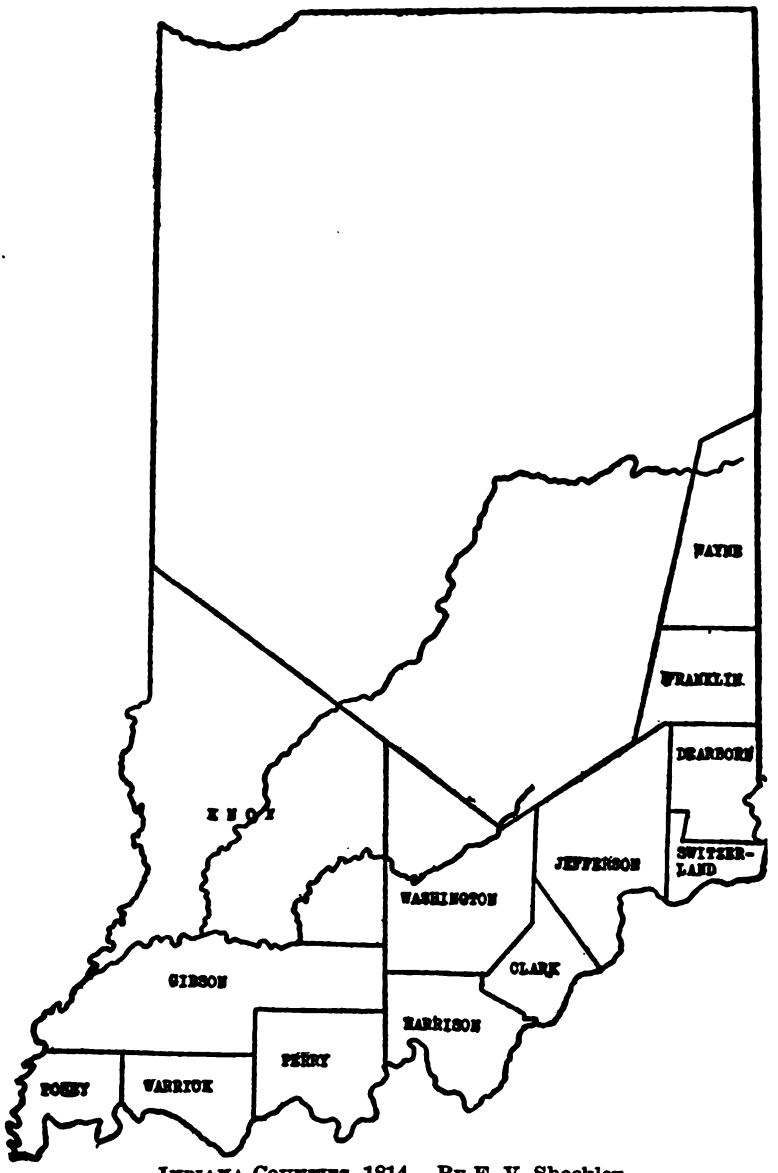


INDIANA COUNTIES, 1814. By E. V. Shockley

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Nothing came of this effort, probably because the War of 1812 prevented a meeting of the Assembly during 1812. As soon as the Assembly of 1813 convened the fight for relocation was again taken up. Madison, through its representative, William McFarland, of Lexington, offered $10,000 as a bonus for the location of the capital at Madison. The vote on this in the Council stood four to four. James Dill, of Dearborn, then submitted a proposition from Lawrenceburg, and a bill to make that place the capital passed to third reading before it failed. Vevay was tried, and the vote stood five to three against it. Charlestown failed by the same vote. Clarksville received two votes. Jeffersonville received a tie vote. Corydon got a tie vote also. The eastern members controlled the House of Representatives and chose Madison. The Council would not vote for it, however, and in a conference Corydon was selected. The act bears date March 11, 1813, and further provided that officers and offices should be at Corydon by May 1, 1813.[4]

## § 40 The Enabling Act

Since the outbreak of the War of 1812 there had been agitation among the inhabitants of the territory for a State government. Part of this was due to a feeling that the federal government was not active enough in protecting the border. Part was due to political dissatisfaction. It was felt that the rights of

[4] The Journals of the General Assembly for 1810 and 1811 are in the Vincennes *Western Sun*. Those of 1813 are in the Secretary of State's office, in manuscript form; that of the House in the hand of William Hendricks; that of the Council in the hand of Benjamin Parke. Danger of Vincennes being captured by the Indians may have hastened the removal of the capital. Cf. Waldo Mitchell, "Growth of Indiana, 1812-1820," in *Indiana Magazine of History*, December, 1914. The removal took place soon after the disaster on the river Raisin.

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suffrage were too much restricted, and that through the appointment of sheriffs the governor had too much influence in elections. Numerous petitions to Congress indicate this sentiment.[5]

January 1, 1812, Jennings presented a petition drawn by the General Assembly asking that Indiana be made a State. January 13, the Speaker laid before Congress a protest against the above petition signed by James Dill and Peter Jones, members of the House of Representatives of Indiana territory. March 31, Jennings reported favorably on the petition, and offered a resolution that Indiana be admitted as soon as a census should show it to have a population of 35,000.[6] Again, on February 1, 1815, Jennings presented a petition from inhabitants of Indiana territory asking admission. The request was laid on the table without discussion.

The question, however, was discussed throughout Indiana during the ensuing summer. Money was piling up in the land offices at Vincennes and especially at Jeffersonville. A continuous fleet of boats floated down the Ohio from Pittsburg, a goodly number of which tied up on the Indiana bank of the river, or else were poled up its tributary streams. Every one felt that there must be near the necessary 60,000 population, the minimum requirement for a State government under the Ordinance of 1787. The newspapers at Vincennes, Corydon, Lexington and Madison were full of advertisements of new towns being laid out. Settlements were forming right up to the Indian boundary all the way across the State and the ubiquitous squatters were crossing over by hundreds. The Whitewater valley, it was thought, had 20,000 settlers; Clark

[5] See especially report by Jennings, *Annals, Twelfth Cong.*, 1284.

[6] *Annals, Twelfth Cong.*, 607 and 749.

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and Washington counties had at least 15,000; Harrison had upwards of 6,000; while not less than 20,000 lived on the Wabash or the lower course of White river. The *Western Eagle,* of Lexington, from statistics in eight counties and estimates in six others, gave the total population, November, 1815, as 68,084.[7]

The General Assembly that met December 4-28, 1815, included many of the best men in the territory. It lost no time in framing a petition for statehood. This memorial appeared in *Niles' Register,* December 14, but was not presented in the House of Representatives till December 28, 1815, and in the Senate till January 2, 1816. The memorial was signed by Dennis Pennington, of Corydon, Speaker, and by David Robb, of Princeton, president of the Council. After reciting that the territory had reached that stage of growth at which, by the terms of the Ordinance of 1787, it was entitled to a State government, the memorialists asked for an election on the first Monday of May to elect delegates to a constitutional convention which might determine whether it was expedient to form a State constitution.

The memorialist also asked for seven per cent. of the land sales for State use, for a congressional township as an endowment for a State university, for an academy, for the coal mines and salt licks, and finally for a donation six miles square on which to locate a State capital.

The memorial was referred to a committee, of which Jonathan Jennings was chairman. This committee, through its chairman, reported by bill, January 5, 1816. In the *Annals* there is included in Jennings' report a letter from William Hendricks, dated February 24, 1816, giving the voters of the State as

[7] Quoted in *Niles' Register,* November 4 and 11, 1815.

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12,112 and the total population 63,897.[8] This census had been taken by the listers of the various counties and certified by the county clerk to the General Assembly, December 4, 1815.

The vote on the Enabling Act of Indiana in the House of Representatives stood 108 yeas, 3 nays. The bill was reported to the Senate, March 30. April 2 it was referred to the same committee that had in charge the enabling bill for the territory of Mississippi. At this time Senator David Daggett, of Connecticut, asked that the committee ascertain the number of free inhabitants in each of the territories. April 3 the bill for the Enabling Act of Indiana was taken from the special committee and given to a committee headed by Senator Jeremiah Morrow, of Ohio. The next day this committee reported favorably, Senator Morrow submitting at the time a census report on the population of the territory of Indiana. It was finally passed, April 13. The next legislative day, Monday, April 15, the House concurred in the Senate amendments and the bill went to the President, by whom it was approved, April 19. It is interesting to note how closely the fate of this bill was linked with that of

[8]

| | Voters | Population |
|---|---|---|
| Clark County | 1,387 | 7,150 |
| Dearborn County | 902 | 4,424 |
| Franklin County | 1,430 | 7,370 |
| Gibson County | 1,100 | 5,330 |
| Harrison County | 1,056 | 6,975 |
| Jefferson County | 874 | 4,270 |
| Knox County | 1,391 | 8,068 |
| Perry County | 350 | 1,720 |
| Posey County | 320 | 1,619 |
| Switzerland County | 377 | 1,832 |
| Warrick County | 280 | 1,415 |
| Washington County | 1,420 | 7,317 |
| Wayne County | 1,225 | 6,407 |
| Total | 12,112 | 63,897 |

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the Enabling Act of Mississippi. The two were passed by the House at the same sitting and without intervening business. There were only three opposing votes in the House, Goldsborough, of Maryland, Lewis and Randolph of Virginia, on the bill to admit Indiana and 53 on that to enable Mississippi. There was no division in the Senate.

Congress left the duty of naming the new State to its inhabitants. Its boundaries were laid down as they now are, the only change from the territorial boundary being the addition of a strip ten miles wide across the northern border, and some small areas east of the Wabash between Vincennes and Terre Haute.

The act set Monday, May 13, as the day for an election of delegates to a constitutional convention. The apportionment of delegates was the same as that asked for in the petition.[9] The qualifications for voting were legal age, payment of taxes, and the usual residence restrictions. No property qualification was required. Otherwise the election was held as ordinary elections for members of the House of Representatives.

The members thus elected were to convene at Corydon Monday, June 10, and, if deemed expedient, form a constitution, or order a new election of delegates. The only restriction on the work of the convention was that the new constitution should be republican and exclude slavery, one restriction laid down in the federal constitution and one in the Ordinance of 1787.

[9] The apportionment was as follows:

| | | | |
|---|---|---|---|
| Clark | 5 | Perry | 1 |
| Dearborn | 3 | Posey | 1 |
| Franklin | 5 | Switzerland | 1 |
| Gibson | 4 | Warrick | 1 |
| Harrison | 5 | Washington | 5 |
| Jefferson | 3 | Wayne | 4 |
| Knox | 5 | | |
| | | Total | 43 |

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Besides the above, Congress made five donations to the prospective State, conditioned on their acceptance by the convention. The first was the donation of section sixteen of the public land out of every congressional township for the use of public schools. The second was the donation of all the salt springs in the territory to and for the use of the people. The third was the donation of five per cent of the net proceeds of the land sales in the territory, three per cent to be used by the General Assembly for opening roads in the State, and two per cent by the federal government to build roads to the State. The fourth was a donation of one entire township for the use of a seminary of learning—the State University grant. The fifth was a donation of four sections of land as a site for a State capital.[10]

## § 41 The Constitutional Convention of 1816

An announcement of the passage of the Enabling Act reached Vincennes in time to be published in the *Western Sun*, May 3. The election of delegates was set for May 13, leaving only ten days intervening, time for one issue of the paper. The *Western Sun* rightly criticised Jennings for the haste.[11] An explanation, favorable to Jennings, was that when the bill was drawn in December it was thought it would pass early in January, thus giving the voters of Indiana at least three months for the canvass. The delay was caused largely by the opposition to the Mississippi bill.

The editor of the *Western Sun* placed several men in nomination, but frankly added that he had not seen any of them and did not know if any of them would serve.

Very little evidence has come down to us concern-

[10] *Annals, Fourteenth Congress*, 1841; Dunn, *Indiana*, 417; Dillon, *History of Indiana*, 544; Vincennes *Western Sun*, under proper date; *Statutes at Large*, 1816, *Sess.* 1, ch. 57.

[11] *Western Sun*, May 3, 1816.

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ing this election. If there was any concerted action, any organization, any definite issue before the people, all trace of it has disappeared. The men selected were representative of the best talent in the State. The previous General Assembly was represented in the convention by over half its members. Twenty-three of them subsequently served in the State Senate; seventeen served in the House of Representatives; Jonathan Jennings served two terms as governor; James Noble and Robert Hanna became United States senators; Jennings and William Graham became representatives in Congress; Benjamin Parke, James Scott and John Johnson became distinguished judges, the former in the United States circuit court, the two latter in the State supreme court; Daniel C. Lane served seven years as State treasurer; John Badolet was in charge of the land office at Vincennes; William Polke was Indian agent at Fort Wayne; at least a dozen of them were preachers; a smaller number were lawyers. So far as the evidence at hand shows, there was not a bad man in the list. They were not only a creditable convention, but personally were creditable to the voters who chose them. It does not seem probable that even a majority of them could have been partisans to any man or party. Badolet was the Swiss companion of Albert Gallatin; John DePauw was the son of a companion of Lafayette; Hugh Cull was a Methodist circuit rider; Charles Polke was a Baptist preacher and the founder of Baptist churches, as were also Ezra Ferris and William Polke; Frederick Rappe was the adopted son of the founder of New Harmonie. William Hendricks, the first representative of the State in Congress, and its second governor, was the secretary of the convention.

The convention was in session from Monday, June 10, to Saturday, June 29, eighteen working days. The journal of the convention gives only the most meager details. The work of forming a constitution was dis-

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tributed to committees. There was some discussion, no doubt, over the slavery and suffrage sections, but the Enabling Act left them no discretion in the former.

The constitution was not submitted to the voters for ratification. The president of the convention, Jonathan Jennings, was directed to issue to the county sheriffs writs of an election to be held, August 5, under the old election laws, for the choice of a governor, lieutenant governor, members of the General Assembly, sheriffs and coroners. It was the harvest season of the year and many of the members were anxious to get home. The crowd of fifty men taxed heavily the tavern accommodations of the village of Corydon. There was every inducement for completing the work as soon as possible. In this regard it stands in contrast to the convention of 1851, with its two thick volumes of talk.

The two senators and the representatives appeared at the opening of Congress, December 2, when the Senate, by resolution, December 6, and the House, by resolution introduced by William Henry Harrison, December 9, declared the State a member of the Union.[12]

As would be inferred from the character of the members of the convention and the brevity of the session, there was nothing novel in the constitution. The political theory of these men was somewhat more democratic than that advocated by Jefferson. The constitution as finally adopted was a judicious compound of the constitutions of Ohio, Pennsylvania, Kentucky, and

[12] *Annals, Fourteenth Cong., Twentieth Session.* No detailed study of the Convention of 1816 has ever been made. Dillon and Dunn gave a few pages to a bare outline of its work as gleaned from the scant record of the "Journal." The "Journal" was kept by William Hendricks, the secretary. No record was kept of the discussions in committee. There is evidence that a great deal of the short sessions was occupied by different members in laying political plans. The "Journal" has been recently reprinted in the 1912 Indiana *Bar Association Report.* This report also contains an able article on the Convention of 1816, by W. W. Thornton.

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the United States. The first article, which was a bill of rights, restated the fundamental maxims of English government in almost the exact words of the Ohio law.

Article II, dealing with the separation of powers, which is an exact copy of article I of the Kentucky constitution, divided the powers into executive, legislative and judicial. There is only one different word—"Indiana" is used in place of "Kentucky."

Article III, dealing with the legislative department, is a copy almost verbatim of the Ohio constitution. The date for State election is the first Monday of August, in preference to the Ohio date, which was on the second Tuesday of October. Representatives were to be chosen annually, as in Ohio, but senators were to serve three years, plainly a compromise between the two year term of Ohio and the four year term of Kentucky. The qualifications of representatives, 21 years of age, and senators, 25 years of age, were lower than in either State. Both had to be taxpayers, the same as in Ohio.

The voting qualifications were expressed in the same words as in the Ohio law, the voter being required to be 21 years old, and one year a resident.

Judged from our time, there were remarkably few officers to be chosen at public election. They were the members of the General Assembly, governor, lieutenant governor, associate judges, sheriffs and coroners; the coroner and lieutenant governor being merely emergency officers to fill possible vacancies. Only three offices were thus filled by popular election, legislator, governor and sheriff.

In harmony with the spirit of the times, nearly all power was placed in the hands of the General Assembly. The governor had only a suspensive veto, which could be overcome by a majority of each House. He appointed a few officers, principally judges of the supreme court, but always by and with the advice and approval of the Senate. All circuit judges, and the

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secretary, auditor and treasurer of State were chosen by the General Assembly.

The most notable innovation in the Indiana constitution was Article IX, dealing with the subject of education. It has been noted that all the material differences between the Indiana and other constitutions were in favor of a wider democracy. Ohio had taken a short, halting step in the direction of public education, but the Indiana convention is entitled to the distinction of having first recognized the governmental obligation of educating all its citizens. Of all the sections of the constitution the one requiring that the General Assembly provide by law for a general system of education, ascending in a regular scale, from township schools to a State university, wherein tuition shall be gratis and equally open to all, was most democratic, and forward-looking. It took a century to put this article into successful operation.[13]

[13] *Journal of Constitutional Convention of* 1816; *Revised Laws of Indiana*, 1824; Ben Perley Poore, *Constitution and Charters; Laws of Indiana*, 1817; Thorpe, *Constitutions;* Harding and Esarey, *Messages of the Governors of Indiana*, contains many of the documents for this period.

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## CHAPTER X

### THE GOVERNMENT AT CORYDON, 1816-1825

### § 42 THE NEW CONSTITUTION IN OPERATION

THE summer of 1816 was a busy time with the voters and politicians of Indiana. The news of the passing of the Enabling Act reached the territory about May 1. The election of delegates to the constitutional convention was held May 13. The convention sat from the 10th to the 29th of June. The regular State and county election was held, August 5, and the First General Assembly convened at Corydon, November 4, 1816. Jonathan Jennings was the central figure in all this activity. He had been the delegate in Congress in charge of the Enabling Act; he was a delegate in the constitutional convention; presided over its deliberations; as its president it became his duty to issue writs of election and put the constitution into active operation; and in the campaign he was the leading candidate.

The election of August 5, 1816, was warmly contested in some parts of the State. The Vincennes *Western Sun,* July 20, has ten columns devoted to letters of candidates. These letters make rather dull reading at present. There was no important issue before the people. All voters belonged to the Republican Party and supported Monroe. An echo of the old-time struggle between the Wabash and Ohio settlements appeared in the campaign for governor between Jennings and Governor Thomas Posey. That there was some spirit in this contest is shown by the number of votes cast. Jennings received 5,211 to 3,934 for Posey,—a total of 9,145 votes out of a possible 12,112 shown in



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the enumeration less than a year previous. In the race for lieutenant governor only 7,474 votes were cast, of which Christopher Harrison, of Salem, received 6,570. In the race for Congress, William Hendricks defeated Allen D. Thom, receiver of public money at Jeffersonville, and George R. C. Sullivan, an attorney of Vincennes, by decisive majorities. Sullivan withdrew from the race two days before the election, in the hope of throwing his support to Thom, but the announcement did not reach most of the counties till after the election.

The first session of the General Assembly met at Corydon, November 4, 1816, and remained in session till January 3, 1817. It was fortunate for the new State that so many good men were returned to the first session, for the constitution had left the organization of the State government very largely in the hands of the General Assembly. No State or local officers were elected by the people except the governor and sheriff and a deputy for each in case of emergency. By far the larger number of officers had to be provided by the General Assembly.

How much of its work was of this nature will be shown by a brief review. On the first day, November 4, the Houses organized, on the second, they met in joint session and canvassed the votes for governor and lieutenant governor, declaring Jennings and Harrison elected. On November 8 the Houses again met together and chose James Noble and Waller Taylor to represent the State in the United States Senate. November 16 William H. Lilly was elected auditor of State, and Daniel C. Lane treasurer of State. There was some tendency shown to parcel out the offices among the members but this was soon stopped by a vote of the House, which expressed it as the belief of that body that it would be a violation of the constitution to elect one of its own members to a State office. Robert A.

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New was chosen as secretary of State. November 14 the Houses, again in joint session, chose Jesse L. Holman, Thomas H. Blake and Joseph Bartholomew electors to cast the vote of the State for James Monroe for President. December 20, in joint session, the General Assembly chose Benjamin Parke judge of the first circuit court, David Raymond, judge of the second, and John Test judge of the third. Not only was it necessary to elect these officers but to outline and define the work of the various offices.

The constitution recognized the existence of township government and assumed that it would continue. In one section it provided that a competent number of justices be elected by the qualified electors for a term of five years.[1] In another place it provided that all town and township officers be appointed in such manner as shall be directed by law.[2]

It was made the duty of the board of commissioners of the county to divide each county into a suitable number of townships and order an election to be held to choose justices, not to exceed three, for each township. These justices were to be commissioned by the governor. At the request of the board of commissioners the sheriff was authorized to appoint an election inspector for each township, who might, if he thought necessary, divide the township into voting precincts.[3]

The constable of the township was made the ministerial officer of the justice's court. He was appointed annually by the county board. The justices had county-wide jurisdiction over petty crimes and misdemeanors, and township-wide jurisdiction over civil cases involving not over fifty dollars.[4]

The board of county commissioners was directed to

[1] Constitution, Art V, Sec. 12.
[2] Constitution, Art. XI, Sec. 15.
[3] *Laws of Indiana*, 1817, ch. 14.
[4] *Laws of Indiana*, 1817, ch. 4.

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appoint a necessary number of freeholders in each township to supervise the laying out and repairing of the highways. For the road-working every male person between the ages of eighteen and fifty was liable for not more than six days' work.[5] The commissioners were also empowered to appoint a lister in each township to do the work now done by the township assessor.[6] Then, for fear the legislators had left out some detail in the scheme of local government, the commissioners were authorized to do and transact any and all county business not provided for.[7]

An unforeseen business soon developed in the case of poor relief. A law of the next General Assembly directed the county commissioners to appoint two overseers of the poor in every township, whose duty it should be to look after the worthy paupers. This was done by the overseers by auctioning off each individual pauper to the lowest bidder, that is, to the person who would care for him for the smallest amount. Children of the poor and orphans were bound out as apprentices, boys until twenty-one years of age, girls until eighteen. Vagrants, so decreed by the court, were sold out to the highest bidder, the proceeds of his work, if any, going to those dependent upon him, the balance going to the vagrant after he had served out his nine months' indenture.

The constitution dealt briefly with the county. Article XI, section ten, provided that a recorder might be elected for each county if the circuit court clerk was unable to do the work; Article XII, section eight, provided for the election of a sheriff and coroner for each county. The General Assembly was given power to create and organize counties but no specific form of county organization was laid down.

[5] *Laws of Indiana*, 1817, ch. VIII
[6] *Laws of Indiana*, 1817, ch. XIX.
[7] *Laws of Indiana*, 1817, ch. XXVII.

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The first General Assembly constructed a simple system of commissioner government for the county. The form was almost the same as that of the present. There were three commissioners chosen for three year terms, one retiring each year. The circuit court clerk was clerk of the board, a duty now performed by the county auditor. The sheriff was, and still is, the ministerial officer of the board. The commissioners had control over the county affairs, levying county taxes and paying out the county money, controlling county roads and attending to and owning county property.[8]

The board was authorized to appoint a county treasurer, to receive, care for, and pay out on order, all county revenues, procure and keep correct a set of legal weights and measures, appoint fence viewers, pound keepers, viewers to lay out new roads, select grand and petit jurors, appoint superintendents of school sections, election inspectors, poor overseers, and later to establish ferries and taverns.[9] It was no easy office in a new country.

The strongest department of our early territorial and State government was the judiciary. During the territorial era, however, the system had become unduly complicated, and in one or two particulars, was not working well. There had been disclosed a ridiculous inconsistency in the appellate court. The old territorial judges, three in number, went on circuit, and as circuit judges they often sat together. On appeal, although all three might sit together, one was a quorum and thus one might overrule a decision given on circuit by all three; or one as supreme judge might overrule himself as a circuit judge; or, a lawyer might appeal a case and be sustained by one judge and the next year be reversed on the identical question by the other judge. The territorial General Assembly had tried to remedy

[8] *Laws of Indiana*, 1817, ch. XV.
[9] *Laws of Indiana*, 1817, ch. XVII.

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this, and, in the constitution, it was effectually cured by giving the supreme court appellate jurisdiction only and requiring two of the three justices to concur in all decisions. They were not allowed to hold circuit court and hence would be under no necessity of overruling themselves.

The State was divided into three circuits, in each of which a circuit court was organized. This court consisted of three judges, a president judge, appointed by the General Assembly, and two associate justices, elected by the voters of the county. It was a strange mixture of State and local government. Thus the First Circuit, composed of Knox, Gibson, Warrick, Posey, Perry, Pike and Daviess counties, had one president judge, Benjamin Parke, and fourteen associate justices, two for each county. The president judge was usually a skilled lawyer, but the associates more often knew little of the law. They were rather selected for their general worth and standing in the community. They were regarded as the leading men of the county and were often politicians.

Below the circuit courts was an army of justices of the peace, as stated under "Township Government." The system was given a modern appearance by lopping off all extraordinary tribunals of the common law, such as quarter sessions, chancery, probate, and other special courts. In place of these the circuit courts were endowed with common law and equity powers. A beginning was made also in simplifying the pleadings, though many of the ludicrous old writs of English common law survived to the great joy of the special pleader at the bar. The work of the convention and of the first General Assembly indicate the presence in these bodies of good lawyers. Chief of these, no doubt, were Isaac Blackford, Benjamin Parke, James Scott, John Johnson and Joseph Holman.

The organization of the courts was carried still

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farther by the second General Assembly, which not only laid down the main lines of the civil code of the State as it exists today, but added a criminal code which received few changes except in the manner of punishment until after 1850.[10] The whipping post, as a means of punishment, still disgraced the State, though the substitution of fines and imprisonment was noticeable in the code of 1818.[11] All barbarous punishments disappeared in the code of 1824.[12]

In the State government the General Assembly was all-powerful. Many functions now performed by other agents were then retained as the duties of the General Assembly. It laid down new roads and streets and vacated old ones; it chartered all municipal and private corporations from a county government to a county library; it licensed ferries and taverns, fixing rates of service in either case; it elected United States senators

[10] *Laws of Indiana*, 1818, ch. I-XIII inclusive.

[11] Compare article by Judge D. D. Banta, *Indiana Magazine of History*, December, 1913, 234.

[12] Vincennes *Centinel*, May 6, 1820: "On Thursday last the minds of our citizens were shocked by the shameful spectacle of a fellow citizen tied to a sign post and flogged like a dog under the sentence of the circuit court now sitting in our town. He was found guilty of a petty species of that same crime for which so many heroes and statesmen have been celebrated and for which their names have been given to posterity. The sight was truly disgusting and it was evident that the manly mind of the officer who executed the sentence revolted at the performance of that odious duty. The criminal code of Indiana is a disgrace to civilization and it ill becomes our lawyers to boast of their refinement, while they sanction this species of degrading brutality, or to laud their purgation from British brutality, while they harbor this relic of its foulest barbarism. Corporal punishments are worse than useless; for nine times out of ten they are fatal to the mind of the victim—he is lost to society—he sinks under a sense of shame; or is sensitive and revengeful; the petty felon becomes the hardened ruffian. If guilty he is then desperate, if innocent the scars on his shoulders keep knocking at his heart and calling for satisfaction in a voice that is never mistaken or unheeded."

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and impeached squires; it chartered a State bank, and granted divorces.

The General Assembly met annually and its meeting constituted the chief political event in the year's history. The politicians of the State gathered to its meetings, the newspapers of the State burdened themselves, to the exclusion of all other news, with the minute details of the legislative journals. The electioneering of candidates for the General Assembly was never ended. The candidates were present at the log-rolling in the spring and at the harvest in the summer; at the huskings in the fall they talked with their constituents about what the General Assembly should do when it met; on muster days the candidates and more important politicians, usually under the imposing title of "jinerall," reviewed the militia or led in the maneuvers.

The executive department was reduced to a minimum. The governor, drawing the highest salary in the State, $1,000 per year, could be absent from his post for weeks at a time. The secretary of State, auditor of State, treasurer of State, with duties similar to those pertaining to their offices at present, were small clerks drawing salaries of $400 each annually. The supreme and circuit judges drew $700 per year, while members of the General Assembly were paid $2 per day.

## § 43 INDIANS

WHEN Indiana was admitted into the Union the Indians still had a claim on about two-thirds of its soil. The Indian boundary line extended from a point on the west boundary of the State in Vermillion county, passing near Montezuma, in Parke county; Gosport, in Owen county; to Driftwood river, a few miles east of Brownstown. This was the famous "ten o'clock" line. From Brownstown the boundary led in a broken line northeast to Greenville, Ohio.

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During the summer of 1816 Benjamin Parke met the Weas and Kickapoos in council at Fort Harrison. They ceded a small strip of land on Vermillion river. The Indians seemed in an accommodating mood and the agent was hopeful that they would consent to go beyond the Mississippi.[13]

Later in the year 1816 ex-Governor Posey, Judge Parke and a man named Sharpe were commissioned to hold a council with the Miamis, Pottawattomies and Delawares, but nothing was accomplished at this time. Two years later Governor Jennings, Benjamin Parke, then federal judge for the district of Indiana, and Gen. Lewis Cass, governor of Michigan territory, met the tribes at St. Mary's, Ohio, and succeeded in purchasing nearly all the Indian land south of the Wabash. The Delawares agreed to take a grant of land beyond the Mississippi, and the Weas, Kickapoos, Pottawattomies and Miamis, all having claims on the ceded territory, agreed to withdraw to the north of the Wabash. This ceded land was commonly known in Indiana as the "New Purchase." Three years were given the Delawares in which to gather up their property and leave the State. In the fall of 1820 the remnant of this once powerful tribe, whose ancestors had received Henry Hudson, on the Hudson, and William Penn, on the Delaware, took up their western march, the disheartened train passing Kaskaskia about the middle of October.[14]

In September, 1820, Judge Parke concluded negotiations by which the Kickapoos also abandoned the State, thus opening up the Wabash country as far north as the present site of Lafayette.

The government had early recognized its obligations to aid the Indians, but though Congress had appropriated money liberally for the purpose, no last-

[13] *American State Papers; Indian Affairs*, II, 91; *United States Statutes at Large*, VII, 145.

[14] Vincennes *Centinel*, November 4, 1820.

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ing benefit had derived to the Indians. It was found impossible to regulate the trade between the white and red men so that the latter were treated fairly. In despair of regulating the independent traders by means of licenses and police, the government, in 1796, had taken the business into its own hands. Agents for the various tribes were appointed and factories established where the Indians might buy and sell at a fair and uniform price.

In 1806 a superintendent of the Indian trade was appointed. This system was considered somewhat better than the old, but the condition of the Indians was little improved. The government factors were forbidden to sell whiskey to the natives, but unprincipled traders, most of them criminal outcasts from the east, swarmed into the Indian country, furnishing liquor to all who had anything to give in return, denouncing the government agents as robbers, and inciting the Indians to all kinds of deeds of violence on one another or to depredations on the settlers. The evidence is conclusive that for every Indian killed in war ten were killed in drunken brawls. The squaws were neglected and the papooses frozen and starved, that meat and furs might be carried to the nearest trading post and bartered for whiskey.[15]

The condition of the Indians excited pity among most of the pioneers. Bands of dejected, hopeless, Indian vagrants from the Indian towns often visited the settlements, usually begging food or clothes. Many of the churches attempted to do something for them.

On March 26, 1817, Isaac McCoy, a Baptist preacher of the Maria Creek Church, Knox county, wrote to the board of managers of the Baptist Missionary Convention of the United States, asking service, under its direction, among the pioneers beyond the Mississippi. Instead of sending him beyond the Mississippi the

[15] *American State Papers, Indian Affairs*, II, 70

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board sent him as a missionary among the Wabash Indians of Indiana.

Mr. McCoy, his wife, and their seven small children, established a mission school in a hut in the forests of what is now Parke county. Gen. Thomas Posey, United States agent for the Weas, Miamis and Kickapoos, assisted. McCoy accompanied the traders, who went early in 1818, to deliver the annuities of the government. The goods were placed on the ground and two Indians chosen to divide them. They drew cuts for first choice and then proceeded, taking piece about, until all articles were appropriated. The trader put whatever value he saw fit on the goods.

The mission school was twenty miles from the nearest white settlement. Here, in a log hut, were gathered a dozen or so Indian children, ranging in age from five to twelve years. Mrs. McCoy took care of them just as she did her own children. All ate at the same table and slept in the same room with the missionary and his family. The larger number of the children were half breeds, children of white traders and Indian squaws.

December 1, 1818, McCoy set off from his mission home on a tour of inspection. His journey led him across the State to Fort Wayne. In the neighborhood of the future cities of Crawfordsville and Thorntown the Indian huts were all abandoned, the Indians being gone on their hunting trip. However, he found four French traders on that part of his journey. At the Delaware towns in Hamilton county he found a trader named Connor.

Bending his course to the southeast, McCoy struck the Quaker Settlements in Wayne county. In a few days he reached the Indian agency at Fort Wayne, kept by John Johnson. On the 15th of December he started on his return journey through the Delaware country, visiting Captain Anderson at Andersontown. The captain lived in some style. He had fifteen squaws haul-

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ing wood for him. They procured the wood at a distance of half a mile, tied it with thongs in large bundles, bound it on their backs and carried it to the chief's hut. At the close of the day's work the old squaws were courteously thanked and given a good feed. Most of the Delawares at this time lived in log huts, had cleared land, and had planted some fruit trees. They were making progress, but the "New Purchase" treaty had just been consummated and all were preparing to leave for the west, broken-hearted.

The prevailing tone of McCoy's picture of these savages is one of unmitigated squalor and debauchery that existed everywhere on account of the too frequent use of liquor by the unfortunate tribesmen. On one occasion a squaw was observed in a swamp digging roots for her children's breakfast. The weather was almost freezing cold, but she stood barefoot in the mud and water half knee deep. Strapped on her back, she carried a papoose not more than a few months old. On another occasion he came upon a squaw burying her young babe. The ground was frozen and she had cut a deep notch with a hatchet in a fallen tree. In this hole she placed the babe and laid some large pieces of wood over the top to keep the wild animals away.

In 1820 the McCoys moved their mission to Fort Wayne, reaching the fort May 15. The goods and ten or twelve Indian children were placed in a small boat at Fort Harrison and poled up the Wabash, while the McCoys, husband, wife and their own children, together with fifteen head of cattle, forty-three hogs, two hired men and a guide, set out by a bridle path. It rained almost every day. The party slept on the bare ground, fortunate if they could find enough dry ground on which to sleep. The Indians along the route were drunk, as usual, having just returned from their winter's hunt. At the crossing of the Mississinewa the Indians were especially troublesome. One drunken

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wretch made an effort to murder McCoy. Another enjoyed himself by throwing a half rotten dog on Mrs. McCoy and the children. The trip was made, however, without mishap. A prosperous mission was built up. Later, October, 1822, the McCoys moved the mission to Niles, Michigan, and when the Indians were transported beyond the Mississippi the McCoys went along.[16]

## § 44 The First State Bank and the Ohio Falls Canals

There was very little money, either specie or paper, in Indiana before the State was admitted into the Union in 1816. The period just preceding 1816 was the worst in our history for "wildcat" banks. The charter of the First United States Bank expired in 1811, and the Second was not chartered until 1816, and during that time the "wildcat" banks flourished.

A "wildcat" bank was a very simple affair. In order to start a bank, the banker had only to have a supply of notes engraved and then open his bank in some convenient place. These banks, as a rule, received no deposits. They were open one day in the week or preferably two half days. The banker used every means to get his notes in circulation, frequently selling or loaning them at half their face value. If business prospered he would remain and redeem his notes; if not, he packed his grip with the remaining notes and sought a more favorable field. Banks like

[16] *History of the Baptist Indian Missions*, Isaac McCoy, Washington, 1840; *Indiana Magazine of History*, March, 1914; *American State Papers, Indian Affairs*, II, 277; Vincennes *Sun*, September 1, 1821.

The Moravian missionaries had established a station at Andersontown on White river and were attempting to teach the arts of peaceful life to the Indians. See J. P. Dunn, in *Indiana Magazine of History*, IX, 73; also Dawson, *Life of Harrison*, 11. This station lasted from 1801 to 1806.

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this were established in territorial times at Brookville, Lexington and New Harmony.

There was a demand, however, for more substantial banks; and in answer to this the territorial legislature, sitting in Corydon in 1814, chartered two banks. One of them was to be located at Vincennes and the other at Madison. The officers of the land office at Vincennes were behind the former, and John Paul, founder of Madison and a hero of the George Rogers Clark campaign, was behind the latter. The charters, which were identical, were to run twenty years, and it was provided that all notes issued should be paid in hard money. The capital stock of the Madison bank was to be $750,000; that of Vincennes, at first $750,000, was later raised to $1,500,000. The Madison Bank, called the Farmers and Mechanics', was promptly organized by John Paul, John Ritchie, Christopher Harrison, Henry Ristine, N. Hurst and Dawson Blackmore. This bank proceeded to make itself useful at once by redeeming the shin-plasters issued by the local merchants. It was the custom of the merchants to keep on hand a large amount of paper money, printed by themselves, in denominations of 6¼, 12½, 25, and 50 cents. There being no coin in circulation, the storekeepers handed this out in change. This the bank redeemed in the currency of the Commonwealth Bank of Kentucky, when presented in amounts of one dollar or more.

The notes of the Madison Bank were received at the land office at Brookville in payment for land until the Second United States Bank began its war on all private banks. During this time the Madison Bank held the enviable reputation of having furnished land office money to the settlers in exchange for other money not receivable at the land office without any cost to the settlers.

At the same time the receiver at the land office kept

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his money on deposit with the bank. The Madison Bank discharged all its obligations punctually, but when Langdon Cheeves became president of the Second United States Bank he refused to have any dealings with local banks in Tennessee, Indiana or Illinois. A reason for this action may be that the States named had refused to allow branches of the United States Bank established in them. The order of Mr. Cheeves broke practically every bank in the States named. The Farmers and Mechanics' paid all its obligations, gradually retired all its currency, and was honorably closed by John Lanier and Milton Stapp.

The Vincennes Bank was not so successful. Its charter was confirmed by the State constitution and it was adopted as a State Bank with branches. The intention of the incorporators was to acquire a complete monopoly of the banking business of the State. A glance at the location of the branches will show that the business was well planned.

The first branch was to be organized at Centerville; the second at Brookville; the third at Lawrenceburg; the fourth at Vevay; the fifth at Madison; the sixth at Jeffersonville; the seventh at Brownstown; the eighth at Paoli; the ninth at Salem; the tenth at Corydon; the eleventh at Troy; the twelfth at Darlington; the thirteenth at some point in Posey county; the fourteenth at some point in Gibson county, and the parent bank was to be at Vincennes.

Each branch was to serve three counties, and the stock was reserved for inhabitants of these counties except that the State reserved the right to subscribe for $375,000 worth. This was too much. There were only about 75,000 persons in the State. It would have required a subscription of about $30 per capita to organize the banks provided for by these laws. There was no money in the country and it was soon ascertained that all the branches could not be organized.

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The parent bank at Vincennes and three branches were finally opened—at Brookville, Vevay and Corydon.

These banks might have served a useful purpose, but before they got fairly on their feet they were caught in the hard times of 1818 and 1819 and ruined. The parent bank had backed the Steam Mill, a large industrial company at Vincennes. When this establishment was destroyed by fire, the bank lost $91,000. A large part of the business of the bank was to furnish money for the buyers of public lands. Under the ruling of Langdon Cheeves the bank notes were no longer receivable at the land office. The bank failed with $168,453 of United States money on deposit. This was later made good by the stockholders.

By a law the State taxes were receivable in the notes of the bank. The State had borrowed $20,000 from the bank for which the bank held State bonds. These bonds had been turned over to the United States treasury as part payment on that debt. The State treasurer, Lane, at the direction of Governor Jennings, took $20,000 of the bank's own notes and proceeded over to Vincennes to redeem the State bonds. The cashier refused to receive the notes, but did not tell Mr. Lane that the Secretary of the Treasury of the United States held the State bonds. This fact, however, was soon learned, and a spirited correspondence between the governor and the secretary resulted. The matter was amicably settled by Senator James Noble, who took the matter in charge.[17]

The story of the Ohio Falls Canal takes us back into the territorial days of Indiana.[18] The portage at Louisville had been a bugbear to navigation since the first settlements along the upper Ohio. The greatest demand for a canal came from Cincinnati, and the legis-

[17] Logan Esarey, *State Banking in Early Indiana;* also Waldo Mitchell, "Growth of Indiana, 1812-1820," in *Indiana Magazine of History*, December, 1914.

[18] *History of Ohio Falls Cities*, I, 53.

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lature of Ohio manifested more concern in its building than that of either Indiana or Kentucky. The earliest attempt by Indiana people was about 1805, when a company, composed largely of Clark county citizens, subscribed $120,000. Rivermen seemed willing to pay a large toll rather than unload their boats or risk running the falls.

One of the first acts signed by Jonathan Jennings, the first governor of Indiana, was an act to incorporate "The Ohio Canal Company." The incorporation name was John Bigelow & Company, capital stock 20,000 shares of $50 each, or a total of $1,000,000. Much of the capital was expected from Madison and Cincinnati. The directors included some of the most prominent early settlers of Clark county. The long law of twenty-three sections shows much careful thought and argues that its framers expected soon to see the work done. The power of eminent domain was conferred, both for right of way and for building material. The company might double its capital if necessary. Its books were to be opened to the inspection of the General Assembly or of its agents. The canal was to become the property of the State in 1858. No tax was required of the corporation until its canal was complete. The canal was to be cut on the Indiana side. The act is an evidence of the aspirations of the two young Hoosier cities.

The charter of 1816, however, not being liberal enough in its provisions to suit foreigners, the money for the canal was not forthcoming. Governor Jennings, in his message, December 2, 1818, recommended that something be done to secure the canal at New Albany.[19] Accordingly a second company was chartered, January 18, 1818, and the old charter canceled. The main provisions of the old charter were retained.[20] The directors were given power to fix the tolls without

[19] *House Journal*, 1817, 8.
[20] *Laws of Indiana*, 1817.

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legal restraint. They were further empowered to receive subscriptions from any source, especially the United States government. They were given the privilege of raising $100,000 by lottery; one-half the amount to be invested in stock for the State, the other half in stock for the company. Work was to begin in two years, and be completed in 1824. The charter was to expire by limitation in 1899. Work began in 1819. The course, two and one-half miles long, was laid down from the ravine at the mouth of Cone creek to the eddy at the foot of the rapids. Bigelow and Beach, the local bankers, were the chief promoters. They were using Cincinnati capital. Cone creek was dammed and a new channel cut for it along the canal route. Clark county clay was found rather too stubborn and the plan failed.

In their zeal the projectors overlooked two very important considerations—neither the labor nor the capital could be had in the vicinity at the time, and the amount of commerce was not sufficient to attract outside capital. There was a further reason. The legislature of Kentucky in 1825 chartered a company, backed by Philadelphia capital, to build a canal on the Kentucky side.[21] The United States subscribed $290,200 to the enterprise. The contract called for completion October, 1827, but it was not entirely finished till 1831.

## § 45 Moving the Capital to Indianapolis

In the Enabling Act the national government gave the new State four sections of land as a site for a permanent capital. The site could not be located so long as the whole central part of the State was claimed by Indians. A treaty was accordingly made with the Indians in 1818, by which the heart of the State was opened up for settlement.

[21] *Western Sun*, January 14, 1827. For a complete account of the canal see Logan Esarey, *Internal Improvements in Early Indiana*, 65 *seq.*

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Governor Jennings in his message of 1819, called the attention of the General Assembly to "The New Purchase," and advised that body that it was time to appoint a commission to select a site for a State capital. The House of Representatives at once took up the matter. By an act signed, January 11, 1820, a commission of ten men was chosen.[22]

March 22, Governor Jennings summoned these commissioners to meet at the house of William Connor on the west fork of White river. The time set for the meeting was Monday, May 22. The commissioners met according to notice and spent the time till June 7 examining White river and the adjacent country. On the latter date they met at the mouth of Fall creek and decided on the location of the capital. All the members signed this petition except William Prince.

The report was duly received by Governor Jennings, who transmitted it to the General Assembly. The legislature ratified the selection, and on the same day—January 6—appointed another commission to lay off the town. The latter commission consisted of Christopher Harrison, James Jones, and Samuel Booker. The first-named was the only active member.

Alexander Ralston and Elias Fordham did the surveying. The town was soon laid off with the "circle" as the center. The wide streets and radiating avenues are due to the planning of these eastern men, who had seen a plat of the national capital. Gen. John Carr was agent for the new town and conducted the first land sale, beginning October 9, 1821, and lasting one week.

22 These men were George Hunt of Wayne county, John Connor of Fayette, Stephen Ludlow of Dearborn, John Gilliland of Switzerland, Joseph Bartholomew of Clark, John Tipton of Harrison, Jesse B. Durham of Jackson, Fred Rapp of Posey, William Prince of Gibson, and Thomas Emerson of Knox. Their official report is in the office of the secretary of state at Indianapolis. For an account of the land sale see Ida Stearns Stickney, *Pioneer Indianapolis;* J. H. B. Nowland, *Sketches of Prominent Citizens*, 33.

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About three hundred lots were sold for about $35,000.

The same act that provided for the commission to lay off the town also gave a name for it. Nothing came up during that session of the General Assembly that provoked such acrimonious debate and such merriment as naming the new capital. A strong effort was made to name the new town Tecumseh. Some of the old Indian fighters, as Marston Clark of Salem, urged that name. The name "Indianapolis" is said to have been suggested by Jeremiah Sullivan of Madison, and accepted as a compromise.

### § 46 Settlement of the New Purchase

The period from 1816 to 1825 was one of unprecedented immigration to Indiana. The settlers crowded up the south-flowing streams beyond the center of the State. At the close of the period the number of counties had increased to fifty-two.[23] Almost all the territory south of the Wabash had been organized and the line of settlement was well to the north of the present line of the National Road. The latter had not yet been opened and practically all the settlers came by way of or across the Ohio river.

James W. Jones, Robert M. Evans, and Hugh McGary advertised a sale of lots for Evansville, June 20 and 21, 1817.[24] They claimed for it the best location on the north bank of the Ohio. Good mill-sites on Pigeon creek could be had, and the surrounding country was producing heavy crops of corn, wheat, hemp, and tobacco.

A week previous, John Allen had advertised a sale of lots for Washington, the county seat of the new county of Daviess. The agent pointed out the advantage of its location at the junction of White

[23] E. V. Shockley, in *Indiana Magazine of History*, March, 1914.

[24] *Western Sun*, April 19, 1817.

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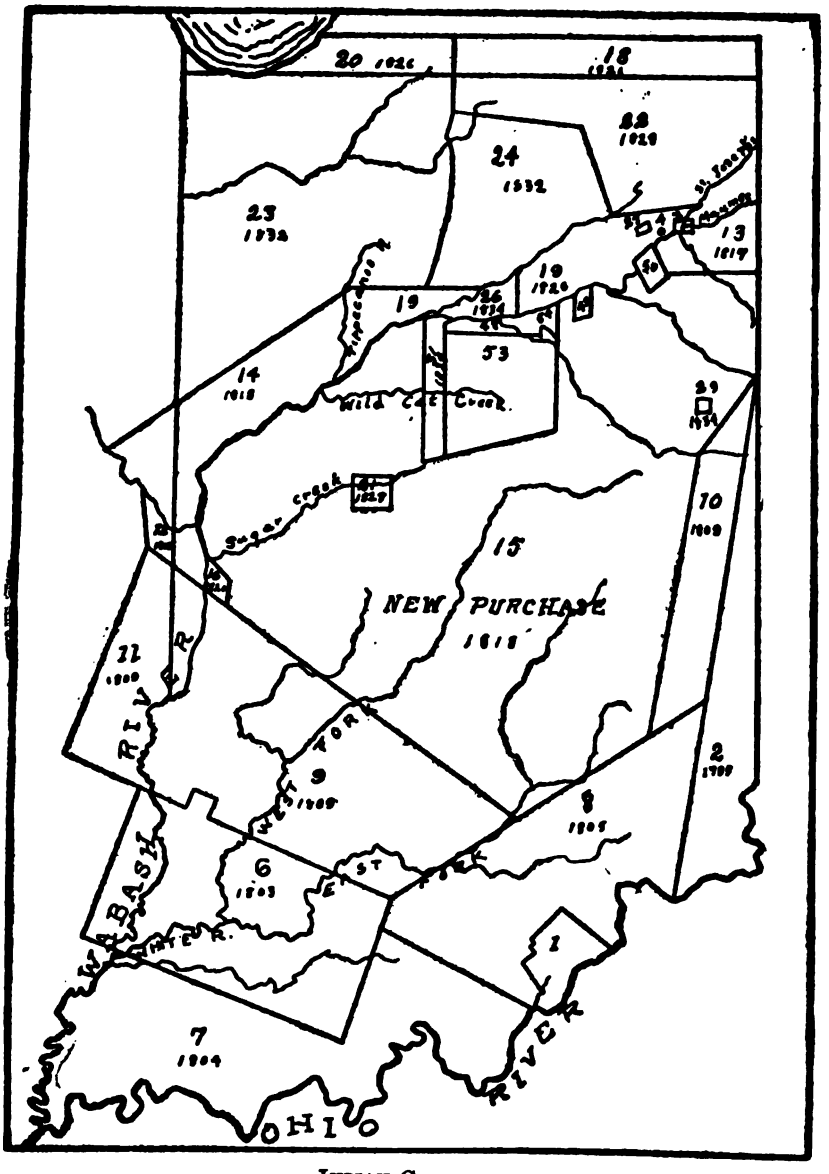


INDIAN CESSIONS.
By E. V. Shockley.

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river and Driftwood on the main State road from Vincennes to the Falls. It adjoined Liverpool, a village that had been settled seven years, having been used as a fort in the last war, and had 300 population. The sale of lots was to commence, June 9.[25]

During this same time, 1817, the pioneers had pushed on up the Wabash and founded the town of Terre Haute. The soldiers from Fort Harrison had praised the country highly. Joseph Kitchell entered the land on which Terre Haute is built, September 13, 1816. A company, backed by Louisville speculators, laid off the town, October 25, and the first sale of lots took place October 31, 1816, at which lots to the value of $21,000 were sold the first day.[26]

During the next year, 1818, Joseph Taylor, Truman Blackman, and William Harris opened up a settlement ten miles above Fort Harrison. In the fall, September 1, they advertised a sale of lots in the town of Clinton.[27]

It was customary for these founders of cities to offer a public square free, and they usually stated that a lot would be given free to the first physician and to each of the first three or five carpenters who would put up houses.

The proximity of the Indians now retarded the advance somewhat, but by 1824 a great many settlers had pushed beyond Clinton. On Monday, June 7, John Collett opened a sale of lots for the town of Newport, situated two miles from the Wabash and on the south side of the Little Vermillion.

During these latter years many settlers had penetrated the upland vales of what is now Parke county. Rockville was selected as the county seat of the new

[25] *Western Sun*, April 12, 1817.

[26] *Niles' Register*, April 5, 1817; *Western Sun*, May 9, 1818; A. R. Markle, "The Terre Haute Company," in *Indiana Magazine of History*, June, 1916.

[27] *Western Sun*, May 16, 1818.

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county of Parke, and here Thomas Smith, the county agent, opened a sale of lots, June 16, 1824.[28]

The picturesque hills and chasms of Pine creek had for many years been a favorite haunt of the Kickapoo Indians. Traders had resided in the vicinity for an unknown period. Among the first permanent settlers who located in the neighborhood were Daniel Stump and George Hollingsworth, who advertised a sale of lots for the newly-laid town of Attica just across the Wabash from the mouth of Pine creek, May 30, 1825. It is significant of the newness of the settlements in this region that the nearest grist mill, until in 1824, was at Terre Haute.[29]

During the period 1816-1825 many new towns were laid out on the Ohio. These were shipping ports for the settlers many miles in the interior. Goods were hauled in many cases to and from Madison, New Albany, Leavenworth, Troy, Rockport, and Evansville, a distance of fifty miles. It is noticeable that all the young towns last-named were on deep north bends of the river. Sprinklesburg, August 6; Fredonia, May 30, and Rockport, June 30, were laid out on the river, in 1818, while farther back in Dubois county John Niblack had laid out a county seat called Portersville, on Driftwood, July 20.[30]

Meanwhile the hillside glades and shady vales of Washington, Orange, Lawrence, and Monroe counties were attracting an ever increasing stream of settlers from the South by way of the Falls at Louisville. The heavy oak and beech furnished ample mast to fatten thousands of hogs, while cattle and even horses lived almost through the winter on the wild pea vines of

[28] *Western Sun*, May 22, 1824.

[29] *Richmond Ledger*, April 30, 1825.

[30] These are all taken from advertisements in the *Western Sun*. Cf. Waldo Mitchell, "Growth of Indiana, 1812-1820," in *Indiana Magazine of History*, December, 1914.

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the glades. Here, also, it was claimed, they were safe from the ague and malaria that infested the level lands.

As soon as the War of 1812 was over the settlers began to spread from their fortified home at Vallonia. Salem was laid out by Silas Wright in the spring of 1814, Orleans in the spring of 1816, Paoli by Jonathan Lindley in 1816, Palestine, first capital of Lawrence county, by Robert M. Carlton, in 1818,[31] receiving $14,165 for 157 lots, at the same time letting a contract for the building of a "superb brick court house." Benjamin Parke, the county agent, sold the first lots of Bloomington, May 5, 1818.[32] He added in his advertisement that Salt creek was navigable, that the town would be the county seat of Monroe county, the seat of the State University, and most probably the capital of the State.

These pioneers from the South pushed on to White river at Spencer and Gosport the next year. By 1820 the squatters had reached Greencastle, and by 1824 they had penetrated the "Big Flat Woods" as far as Crawfordsville, where General Ambrose Whitlock and Williamson Dunn had laid off the town of Crawfordsville on the bluffs of Sugar creek.

Another branch of this stream of immigrants followed Driftwood from Vallonia and Brownstown, founding the Haw Patch, Jonesville, and Flat Rock settlements in Bartholomew county before 1820. Lots were sold in Columbus early in 1821. The settlements were reinforced by many pioneers who came across from the Whitewater country, following Whetzell's Trace to Morgan county or coming from the Falls by the old Indian Trail, sometimes called the Three Notch road. This latter divided at Driftwood, one route leading to the mouth of the Kentucky, the other to the Falls of the Ohio. Along these trails came Jacob

[31] Madison *Indiana Republican*, October 17, 1818.
[32] *Western Sun*, May 16, 1818.

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Whetzell and John Vawter, the earliest settlers of Johnson county, the former from Franklin county and the latter from Madison. The pioneers of Marion, Johnson, and Bartholomew reached the Ohio river by three routes. Those from the Whitewater traded to Cincinnati, those from Jefferson county to Madison or New Albany, and those from the lower settlements to Maukport by way of Brownstown, Salem, and Corydon. Ox teams were in general use for these long trips.[33]

The settlements on the Whitewater were keeping pace with those farther to the west. Wayne was the most populous county of the State. The first sale of lots in Richmond took place in August, 1816.[34] By 1822 it had 410 inhabitants with factories, stores, and two newspaper presses. It was the seat of the annual meeting of the Quakers, who had built a house for that purpose one hundred feet long by sixty feet wide and two stories high.[35]

[33] D. D. Banta, *A Historical Sketch of Johnson County.*

[34] *Niles' Register*, February 9, 1822, and April 3, 1824.

[35] *Richmond Intelligencer*, Aug. 28, 1822; *Western Sun*, April 21, 1821:

"Through the politeness of Colonel John Vawter, marshal for the State of Indiana, we have been favored with the following census:

| | | | |
|---|---|---|---|
| Clark | 3709 | Perry | 2330 |
| Crawford | 2583 | Pike | 1472 |
| Daviess | 2432 | Posey | 4061 |
| Dearborn | 11468 | Randolph | 1808 |
| Delaware | 3677 | Ripley | 1812 |
| Fayette | 5950 | Scott | 2334 |
| Floyd | 2776 | Spencer | 1882 |
| Franklin | 10763 | Sullivan | 3498 |
| Gibson | 3876 | Switzerland | 3934 |
| Harrison | 7875 | Vanderburg | 1398 |
| Jackson | 4010 | Vigo | 3390 |
| Jefferson | 8038 | Wabash | 147 |
| Jennings | 200 | Warrick | 1749 |
| Knox | 5437 | Washington | 2039 |
| Lawrence | 4116 | Wayne | 12119 |
| Martin | 1032 | No returns from Dubois—Estimated | 1500 |
| Monroe | 2679 | | |
| Owen | 838 | | |
| Orange | 5368 | Total | 147,600 |

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The sale of county lots at New Castle, seat of Henry county, took place, August 5, 1822. Trading posts and squatters were stationed all along the upper course of White river as far as Muncietown.

As noted in a previous chapter, Indianapolis was selected by the General Assembly to become the State capital. Gen. John Carr, the State Agent, opened the first sale of lots from the "Donation," October 9, 1821. There was at that time a considerable village with three taverns. Squatters had located in the neighborhood as early as 1820. The spring of 1821 saw a rush of settlers to the place.[86]

The Richmond *Ledger*, October 22, 1825, said the tide of immigration had never before set so hard toward Indianapolis. For days the main street had been thronged with persons moving west, principally from Ohio. They appeared to be of the thrifty, well-to-do class, driving large flocks of sheep and horned cattle. The Bloomington *Gazette*, October 8, 1825, stated that there was scarcely a day but throngs of movers passed through that town on their way to White river and the Wabash. The *Indiana Journal*, at Indianapolis, October 11, said there had passed that town daily for the last four or five weeks, twenty to thirty families, coming from Ohio and going to the Wabash. All seemed in good circumstances. Similar reports came from many other towns in the State.

The entries of land at the land office witness the rush of immigrants. In 1816 a land sale opened at the Vincennes land office and in three weeks about 1,500 tracts had been sold for over half a million dol-

[86] J. H. B. Nowland, *Early Reminiscences of Indianapolis;* Berry Sulgrove, *History of Indianapolis and Marion County; Niles' Register* XXII, 48; *Western Sun*, Nov. 8, 1823, gives a notice of the remarkable growth of the town; see also issue of Nov. 3, 1821. A series of articles in the *Indiana Journal*, Nov. 4, 1846, to Mar. 22, 1847, by a pioneer gives an excellent account of the founding of the capital.

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lars. Vincennes and Jeffersonville were the leading land offices in the United States in the amount of business. By 1821 this activity had shifted to the Brookville office, as a result of the opening of the "New Purchase." The latter office, for 1821, took the lead, selling in that year over $200,000 worth of land.[37] By the close of the period the office at Crawfordsville was handling the rush and setting a record for the United States in the sale of lands.[38]

Various means of transportation and travel were in use. A great many of the poorer class, including a large proportion of the young men, traveled on foot. The movers usually had wagons drawn by horses or more often by oxen. Accompanying each wagon or train of wagons, for they often "moved" in companies, were droves of cattle, sheep, and hogs attended by the younger men and boys. A traveler on the traces met "movers" going and coming. Hundreds came to the frontiers, lured by the glowing advertisements, only to be scared out on arrival by the sickness prevailing everywhere, and by the amount of hard work and harder living everywhere necessary. Thus discouraged, they soon retraced their journey. A tavern keeper on the New Albany-Vincennes road stated that upwards of 5,000 souls had passed his tavern on the way to Missouri during the year 1819.[39] Many of these returned immediately.

As early as the spring of 1820 a Mr. Foyles projected a stage line from Vincennes to Louisville, mak-

[37] This office was located part of the time at Indianapolis.

[38] For the land office reports see *American State Papers, Finance*, V, index. The following table shows lands sold in State, 1820-1825.

| | Acres. | | Acres. |
|---|---|---|---|
| 1820 | 162,490 | 1823 | 165,046 |
| 1821 | 264,578 | 1824 | 154,558 |
| 1822 | 252,982 | 1825 | 162,270 |

[39] W. Faux, *Journal of a Tour to the United States*, (1823), 212.

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ing the trip between 6 a. m. Wednesday and 1 p. m. Friday. This was said to be the first stage in Indiana.[40] A post stage carrying United States mail was established between Louisville and Vincennes, April 10, 1824. It left the former place at noon Saturday and arrived, if on time, at Vincennes Tuesday, at 9 a. m., returning to Louisville by Thursday, 6 p. m. The distance was 107½ miles and the fare $8.00. By May 4, this had been extended on to St. Louis, and on July 14, a branch line started from Vincennes by way of Princeton to Evansville. It made the trip between 8 a. m. Wednesday and 5 p. m. Thursday.[41]

Other important traces led from Yellowbanks, north through Spencer county and Dubois, to Washington; from Troy to Paoli; from Leavenworth to Paoli; from Mauk's Ferry via Corydon, Salem, Vallonia, Columbus, and Franklin to Indianapolis; from New Albany, via Salem, Orleans, Bedford, Bloomington, and Gosport to the Wabash or to Indianapolis; from Madison to Columbus; from Madison to Greensburg; and last and most used was the Cincinnati-Whitewater road to Indianapolis. In the latter years of this period the National road began to be used. With the exception of the National road and the Vincennes road, the roads mentioned were mere unimproved traces through the forest, on which a stranger might count himself fortunate if he were not "lost" half the time. Ferries were uncommon and dangerous, fords at most seasons deep and muddy. Through the heavy timber these traces rarely dried out. In dodging the mudholes the drivers zigzagged hither and thither among the trees, making the location of the road all the more bewildering to the traveler.[42]

[40] Vincennes *Centinel*, April 15, 1820.

[41] *Western Sun*, Nov. 8, 1823; May 1, 1824; July 10, 1824.

[42] *Indiana Gazetteer*, 1849, 125, gives the experiences of Samuel Merrill going from Corydon to Indianapolis in 1825.

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Business during this period was usually active, due to the demands of the incoming settlers. A person coming up the river from New Orleans counted 643 loaded flatboats on their way down.[43] The steamer "United States," launched at Jeffersonville May 15, 1819, was the largest on the western rivers. It was 166 feet long, 700 tons burden.[44] However, from 1819 to 1824, the export trade, as it was called, was dead. Grain rotted in the fields or in the stacks. There was no demand for it at New Orleans and there was no money to move it had there been a demand. Business men were unable even to pay the revenue on such goods as were taxed by the federal government. The Genral Assembly petitioned Congress not to prosecute for such violations.[45] There was due from land buyers at Jeffersonville, January 1, 1819, $1,021,834; at Vincennes, $1,390,909.[46] Congress from time to time passed laws in the hope of aiding public land debtors. The price of land was lowered from two dollars per acre to one and one-quarter. This immediately ruined all land values in the State, and made the hard times harder.[47] Half the State taxes were delinquent.

[43] *Niles' Register*, July 11, 1818.

[44] Vincennes *Centinel*, May 22, 1819.

[45] *Annals Fourteenth Congress, 1st Session*, 31.

[46] Letters from Nathaniel Ewing in *American State Papers, Finance*, III, 734.

[47] *American State Papers, Finance*, III, 782; Logan Esarey, *State Banking in Indiana*, 221. To add to the losses at Vincennes the large Steam Mill, the largest in the State, burned, Feb. 10, 1821. "A few years past Vincennes was the very emblem of prosperity; every wind wafted her some good. Our houses were filled with inhabitants, our streets were crowded with citizens, the noisy hum of business resounded in our ears. All was life and activity. How sadly is the picture reversed. More than one-third of our dwelling houses are destitute of inhabitants, our population has decreased nearly or quite one-half, our real property has suffered a greater diminution. Buildings, that a few years ago rented for $200 or $300 per annum now rent for $50 to $100. An universal despondency prevails." *Western Sun*, Feb. 16, 1822.

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The years 1820-1822 were pestilential throughout Indiana. Promising towns like Palestine and Hindostan were swept from the map. Vevay, Rising Sun, Jeffersonville, and Vincennes were almost deserted. Yellow fever from the south joined forces with ague, malaria, and milk-sickness to desolate the frontier.[48]

## § 47 Social and Political Organization

Besides the ordinary American pioneers who flocked to Indiana there were a few representatives of the peculiar religious and economic ideas then prevalent in the East.

During the summer of 1814 the Harmonie Community of Economy, Pennsylvania, sold out their interests in the old home and bought a large tract of land, 17,000 acres, in Posey county, where they located in 1815. Here they cleared fields, built capacious barns, established factories run by steam. By 1817 they had 200 acres of wheat, large vineyards, rye, barley, oats, and pasture fields, with 1,500 Merino sheep and other stock in proportion. In their factories were produced broadcloth, tinware, shoes, saddles, flour, beer, and other commodities.

From their leaders, George and Frederick Rappe, father and son, they were called Rappites. Their general customs were like those of the Shakers. All property was held in common. Their queer customs and aristocratic government were obnoxious to the neighbors. There were no marriages, and no children. In 1824 Rappe sold to Robert Owen, a British manufacturer of liberal mind and means. In 1825 the Owens took possession and soon attracted to their "community" a select circle of scholars, artists and educators which made the place famous throughout the

[48] *Indiana Gazetteer*, 1850, 118-119; Carlos McCarty, "Hindostan," *Indiana Magazine of History*, X.

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country. On account of advanced economic and social views the Owens, Robert and Robert Dale, never attained the influence in Indiana to which their ability entitled them. For a few years it was the most noted place in the State.[49]

Several communities more or less like the Harmonie located in different parts of the State. As noticed previously, in Vevay a colony of Swiss from Canton Vaud, Switzerland, were cultivating the vine and prospering enough to attract the attention of the eastern newspapers. Their boats annually carried a valuable cargo to the New Orleans market. Besides wine they produced hay, and straw hats for the southern market.[50]

Little was accomplished in the way of carrying out the plan of public education provided in the Constitution. The liberal grant of public land by the United States brought no present aid. There was so much cheap public land on the market that the school lands could neither be sold nor rented to advantage. A law of 1816 permitted twenty householders in a congressional township to organize and open a school. A law of 1824 incorporated the congressional township and vested in its board title to the school lands. These trustees are the legal ancestors of our school directors, and this was the beginning of our district school system under the general supervision of the township trustee. Little was done on account of lack of revenues.

At the same session, 1816, a law was passed by the General Assembly providing for the organization of a seminary in each county. The instruction in these schools was supposed to be rather advanced and would prepare the students for the State Seminary which had

[49] *Western Sun*, Feb. 13, 1819. Samuel Merrill, *Indiana Gazetteer*, 1850, 334. Rapp sold to Robert Dale Owen in 1825; see also Geo. B. Lockwood, *The New Harmony Movement*.

[50] *Niles' Register*, Aug. 23, and Nov. 29, 1817.

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been provided for by the law of 1820, and which was opened at Bloomington for students May 1, 1824. It required years of work on the part of the pioneers to find money, materials, and teachers to make this ambitious plan a living institution.[51]

Itinerant teachers opened private schools in many places. Mrs. Wood, in 1818, advertised a boarding school at Vincennes in which she taught sewing, marking, and muslin work in addition to the common branches—an early instance of manual training; Jean Jean advertised for pupils in French and Latin; Horace Harding taught portrait painting; Bishop Flaget opened a girl's school in 1823; and the old Vincennes academy flourished also during this period.

A State-wide medical society was organized in 1819. An organization of the churches had for its purpose the placing of a Bible in every home in the State. Almost every new town that was laid out in the wilderness made provision for a public library. A reading room was provided at Vincennes in which several newspapers from the east and even from Europe could be found. One is surprised, not at the meager facilities for education, but at the universal interest in it and the many ways in which the interest was shown.[52]

Politics of the young State centered around two questions. The first in importance was the policy of the national government toward the public land. The great majority of the settlers bought their land on credit. With the failure of the markets during the

51 *Laws of Indiana*, 1816, 1820, 1824; Baynard R. Hall, *The New Purchase;* William A. Rawles, *Centralizing Tendencies in the Administration of Indiana;* Theophilus A. Wylie, *Indiana University, Its History;* R. G. Boone, *History of Education in Indiana.*

52 For a good idea of this activity read the *Western Sun*, and the *Centinel* of Vincennes, the *Indiana Republican* of Madison, and the Corydon *Indiana Gazette.*

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hard times from 1818 to 1823, many became embarrassed and not a few lost their partially paid-for land. In response to their petitions Congress first gave them extra time on their payments, then reduced the prices of land, and as a final measure allowed purchasers, unable to complete their payments, to forfeit their land and take a due-bill for money already paid, which could then be used in the purchase of land at any future time.

The second political issue of importance to Indianians was internal improvements. The pioneers were very anxious to have the national government open up the streams and help build roads. William Hendricks, the first congressman of the State, was their champion in both these measures. He was without question the most popular man in the State, though Governor Jennings was the shrewdest politician.

In 1817 the political opponents of Hendricks brought out Ex-Governor Posey as a candidate for Congress, but Hendricks was reelected to Congress by an overwhelming majority. In 1819 Lieutenant Governor Christopher Harrison made the race against Jennings for the governorship, but was badly defeated.[53]

In 1822 William Hendricks succeeded Jennings as governor and Jennings became congressman in place of Hendricks.

The first real political contest in the State took place in 1824 between the supporters of Clay, Adams, and Jackson for the presidency.[54] For the first time there were county organization and platforms with handbills for the voters.

In general the sympathies of the pioneers were for the rough and rugged Jackson. It was known that

[53] *Western Sun*, Nov. 14, 1818; Dec. 26, 1818; July 24, 1819; May 1, 1819; May 22, 1819; *Niles' Register*, Sept. 25, 1819.

[54] The electors in 1816 and in 1820 were appointed by the General Assembly.

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Jackson opposed the banks, and, on that ground, received the support of great numbers of financially embarrassed settlers who attributed the scarcity of money to the manipulation of bankers. These men held a State convention at Salem, September 16, 1824, and nominated an electoral ticket and appointed a State committee to conduct the campaign.[55] The business men and the well-to-do farmers usually favored Clay on account of his position on the tariff and internal improvements. Indiana voters favored both these measures throughout the early period.

Adams stood well with the lawyers and other professional men and was the favorite among the Quakers and other settlers on the Whitewater. The result showed the great popularity of Jackson. He received 7,343 votes, Clay 5,315, and Adams 3,093.[56] Jackson received his highest vote in Washington county, Clay his highest in Jefferson, and Adams his in Wayne. The total vote was light, being only 15,751, out of a voting population of about twice that number.

The young State was receiving some attention, however, from the east and was not being slighted by politicians. In 1817 Henry Clay visited the State and was entertained by the citizens of Vincennes.[57] In 1819 while President James Monroe was making a tour of the west, he, in company with General Andrew Jackson, stopped at Jeffersonville and was escorted by the State militia out to Corydon, where a barbecue was tendered, but Monroe and Jackson preferred the simpler entertainment.[58] But most sumptuous of all was the banquet tendered General Lafayette at Jeffersonville April 16, 1825.[59]

[55] *Western Sun*, Sept. 25, 1824.

[56] *Western Sun*, Dec. 4, 1824.

[57] *Western Sun*, June 7, 1817; *Niles' Register*, June 6, 1817.

[58] *Centinel*, July 17, 1819; *Indiana Republican*, July 3, 1819; Corydon *Indiana Gazette*.

[59] *Western Sun*, Apr. 23; Apr. 30; May 28; and July 2, 1825.

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The opponents of slavery had had no difficulty in the constitutional convention in barring slavery from the State, but they could not so easily free the State from embarrassment on this subject. Trouble arose from three sources. A great many colored men, who had by various means secured their freedom in the South, came to Indiana to live. As a rule they became paupers and a charge on the county. So many cases of this kind had occurred that when W. E. Summers of Williamson county, Tennessee, asked permission of the First Assembly to buy homes and settle his forty freedmen in Indiana the question caused an animated contest. In a long letter John Dumont, chairman of the house committee, attempted to show Mr. Summers why colored persons were not wanted in the State. The house refused to send Mr. Dumont's letter and the General Assembly was unable to agree on any answer.[60]

More aggravating than this question of colored paupers was the constant complaint made by Southern newspapers and slave owners that fugitive slaves escaping into Indiana were aided in making their escape. In answer to these charges the First Assembly made anyone aiding in this matter liable to a $500 claim for damage.[61] In 1825 two citizens of Wayne county were so fined.

Still worse was the custom of kidnapping free negroes and carrying them back to slavery, as practiced by unprincipled men along the border. July 4, 1818, three such men stole a negro girl from Corydon,[62] and

[60] *Niles' Register*, XI, 313; *House Journal*, I, 33, 43. A bill to admit three colored settlers was introduced but failed to pass. *Senate Journal* 1816, 7.

[61] *Laws of Indiana*, 1816, ch. XXIV.

[62] *Niles' Register*, XIV, 328. For the long and spirited correspondence between the governors of Indiana and Kentucky over this crime, see Harding and Esarey, *Messages of the Governors of Indiana*.

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in 1821 a mob from Louisville attempted to kidnap a free colored man named Moses at New Albany. Nothing but the presence of the militia company saved the negro.[63] September 21, 1822, James Burks tried to capture Edmund Robinson, a free colored man of Richmond. The latter escaped, but the attempt caused great excitement.[64]

The sentiment of the citizens of the State was not the same, however, in all parts of the State. Thus, while Noble and Hendricks were being severely denounced at a mass meeting at Montgomeryville for opposing the admission of Missouri as a slave State, the General Assembly, by a vote of 22 to 5, censured Senator Taylor for voting for the Missouri Compromise and thus permitting slavery.[65]

The General Assembly further went on record, December 31, 1818, in a hot denunciation of the kidnapping of negroes on the border. The senators were instructed and the representatives requested to oppose in Congress all fugitive slave laws.

[63] Vincennes *Centinel*, March 3, 1821.
[64] Richmond *Intelligencer*, Sept. 25, 1822.
[65] *Niles' Register*, XIX, 415.

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## CHAPTER XI

### ECONOMIC DEVELOPMENT FROM 1825-1835

### § 48 EARLY ROADS

WHEN Indiana was admitted into the Union it contained about 65,000 people. These lived chiefly in the Whitewater valley, on the lower Wabash, and along the Ohio river hills. The problem of travel was a serious one and was not liable to be overlooked by legislators who had made the trip to Corydon or Indianapolis.

There were well defined lines of travel leading into the interior of Indiana at this time, each in a measure used by a distinct stream of immigrants. From Kentucky, Virginia, and the Carolinas, they came to Madison and Louisville. From Madison, a stage line was early established to Driftwood, crossing at the mouth of Flat Rock. From Louisville, Jeffersonville and New Albany two routes led to the interior; one by Salem, Bono, Bedford, and Bloomington to the Wabash at Lafayette; the other led by Greenville, Fredericksburg, Paoli, Mt. Pleasant, and Maysville to the Wabash at Vincennes.

One can scarcely realize the condition of travel in 1825. There was no railroad, no canal, no pike. All the rivers except the Ohio were obstructed by fallen trees, ripples, and bars. Two main roads led to Indianapolis, one from Madison, the other from Centerville. The transportation service, if any was to be had, was bad, roads frequently impassable and stages usually late. Most of the freight was hauled by ox teams.



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Two schemes for carrying on internal traffic were early taken up by the Indiana government. The earliest was the building of State roads with the three per cent fund. Congress had set aside five per cent of the net proceeds of all the land sold in Indiana for road building. Three per cent of this was placed at the disposal of the General Assembly, and was always known as the three per cent fund. In 1818 Christopher Harrison was appointed the first agent of this fund. He received the money from the United States and paid it out, according to appropriation by the General Assembly, to the county agent. The county agent used it in opening roads through the forest. Such roads, known as State roads, were one hundred feet wide, but the money was not sufficient to do more than clear them of timber. Until the country was settled more thickly, and there were consequently more "hands" to work the roads, they were little more than bridle paths. Yet much of the time of the General Assembly from 1818 to 1840 was occupied in authorizing these roads and distributing the three per cent fund. In 1821, for example, $10,000 were appropriated. The fund was usually overdrawn; nevertheless it was a great aid to the pioneers, most of whom earned money, working on the roads at $1.50 per day, to pay their annual taxes. All told, over one-half million dollars were received by the State for this purpose. Various fanciful schemes were discussed in the legislature from time to time for disposing of the fund, but on the whole it was loyally used.

As early as 1802 the subject of a National Road had occupied the attention of Congress, and in the bill admitting Ohio five per cent of the proceeds of the public land sales in that State was set aside as a fund for building roads by which emigrants might reach the public lands of the west. Four years later, a bill passed Congress for a survey of a road from

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Cumberland, Maryland, to the Ohio river. The route followed the old Braddock trail nearly to the Battleground, and then turned to the west, striking the Ohio at Wheeling.[1]

It is not usually realized by Americans that this is the greatest wagon road in the world. It was surveyed eighty feet in width, the timber was then grubbed, and the ground graded. Culverts and bridges were built of cut stone, and at last a track in the center, thirty to forty feet wide, was macadamized with ten inches of stone. Two six-horse teams could race abreast on this road. In 1818 it reached to Wheeling, in 1833 to Columbus, Ohio, and in 1852 to Vandalia, Illinois, though it was not improved much beyond Indianapolis.

In its best days from six to twelve independent stage lines operated on it, and a score of companies were in the transportation business. The schedule of the mail stage was thirty hours from Washington to Wheeling, forty-five hours to Columbus, sixty hours to Indianapolis, and seventy-five hours to Vandalia. Only thoroughbred Virginia horses were used on the best lines, and the sound of the bugle was as certain an indication of the time of day as the passing of passenger trains on railroads today. The coachman was a man of consequence along the route, and almost an idol for the boys. To see him dash up to a post, throw the lines to the stable boys, tell the latest news from the east while the teams were changed, then break away at a fifteen-mile clip, was enough to attract all the youngsters for a mile or two. The driver usually courted this admiration, and never missed a chance to take a boy on the seat with him—a favor the boy paid for with apples and cider, and remembered with

[1] Schaff, *History of Etna and Kirkersville*, 61 *seq*; *Indiana Magazine of History*, *III*, 58 *seq*; See a series of articles by Benjamin Parker in the *Home and School Visitor for* 1915-1916.

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pride during the rest of his life. A guild of wagoners soon grew up in the freight business, who were well known and thoroughly reliable.

The road was surveyed in Indiana by a government surveyor, Jonathan Knight. He reached Indianapolis July 8, 1827, finishing it by September 4, of the same year, to the western boundary of the State.[2] The road in Indiana is almost straight, crossing the State with a loss of only two miles from a straight line. The distance from the eastern State line to Indianapolis is seventy-one miles; from Indianapolis to Farrington's ferry at Terre Haute, where it crossed the Wabash, is seventy and one-fourth miles. The national government was slow in completing the road in Indiana. In 1830, $60,000 were appropriated, which was used in building the sixteen miles east and twelve miles west of the capital. The old covered bridge on Washington street, Indianapolis, where the road crossed White river, was built in 1834. The macadamized road became Washington street and was the first improved street in the capital. Congress finally abandoned it in Indiana in 1839. It then became the property of the State, which leased it to the "Plank Road Company." This company covered a great part of the road west of Indianapolis with heavy, narrow, oak planks, which made an excellent road for a few years. When the planks wore out the company also abandoned it and it became a public county road. It was then graveled and still remains one of the best roads in the State.[3]

Thirty-four different acts of Congress show how important the road was in a national way. It cost $6,824,919, but it was never completed. It was surveyed and opened to Vandalia and St. Louis, but was never macadamized beyond Indiana. Congress did

[2] *Indiana Journal*, July 10, and Sept. 4, 1827.
[3] Berry R. Sulgrove, *History of Indianapolis*, 107.

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not overestimate its value. It was a powerful agent for the Union, and a material symbol of its power and usefulness.

It bound the East and the West together and brought them three days' travel nearer each other. During the twenty years of its greatness a steady stream of "movers," with their covered wagons and droves of cattle, hogs, and sheep, poured into Ohio, Indiana, and Illinois. For months at a time there was no moment in the daytime that a family wagon was not in sight. At night the road appeared like the picket line of an army. Having traveled over this road, the memory of it lingered long and came back especially vivid as one traveled over the corduroy or mud roads of early Indiana. Most of the settlers of the central and eastern part of the State were familiar with "the old pike."

## § 49 THE MICHIGAN ROAD

ARTICLE two of the treaty between the Pottawattomie Indians and United States commissioners, made October 16, 1826, ceded to the State of Indiana what was considered a sufficient amount of land to build a public highway from Lake Michigan to the Ohio. This road was to be one hundred feet wide, and to this right of way the Indians added a further gift of a section of contiguous land for every mile. Where the contiguous land did not belong to the Indians—all south of the Wabash—Indiana was to select a section of unsold Indian land for every mile of road. The United States confirmed the treaty February 7, 1827, and confirmed to the State the gift made by the Indians by act of March 2, 1827.[4]

[4] For the best discussion of the Michigan road see a decision by Judge Black, of Bloomington, Indiana, in the case of the Western Union Telegraph Company vs. Krueger, 74 Northeast-

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In 1828 John I. Neely, Chester Elliott, and John McDonald were appointed commissioners to lay down the road from Lake Michigan to Indianapolis.[5] They were instructed to select the best natural harbor on the lake; or, in the absence of a good one, the best place to construct an artificial one. The route from Logansport to the lake offered considerable difficulty. The terms of the grant were for a direct road which would necessarily lead through the Kankakee swamps, where nobody lived, and where it would be very costly to build a road. To avoid this, the road would have to run due north from Logansport to the South Bend of the St. Joseph, thence west to Lake Michigan. The point where Michigan City now stands—the mouth of Trail creek—was selected for the northern terminus. Then two complete sets of field notes and plats were made, one for a road by South Bend, the other direct through the Kankakee flats.

The choice of routes was thrown back on the General Assembly and caused much angry discussion.[6] The commissioners, it was asserted, had been unduly influenced by the citizens of South Bend. January 13, 1830, the route of the second survey by the way of South Bend was chosen.[7] The act of January 29, 1830, established the road from Logansport via Indianapolis and Greensburg to Madison.[8] A new board, consisting of Samuel Hanna of Wayne county, William Polke of Knox county, and Abraham McClellan of Sullivan county, was named. This board served only one year and was abolished by act of January 4, 1831. From this time on the whole work was entrusted to

ern, 453. The historical part was written by Charles Moores, of Indianapolis, one of the attorneys in the case. Also *Senate Doc.* XXXV, 453; *Indiana Magazine of History*, III, 80.

[5] *Laws of Indiana*, 1827, ch. 70.

[6] *Laws of Indiana*, 1830, ch. 148—Joint Resolution.

[7] *Laws of Indiana*, 1829, ch. 69, sec. 1.

[8] *Laws of Indiana*, ch. 70.

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William Polke. The road was expected to be cleared and grubbed from Madison to Wabash by November 30, 1831.

Three surveying parties, headed by Commissioners Hanna, McClellan, and Polke, spent the summer of 1830 selecting and surveying Indian lands.[9] They had not made their final report until they were notified that Congress had refused to ratify their choice and had demanded that the road be laid down and then "contiguous" sections be chosen.[10] Further, the sections must be selected from land not yet ceded by the Indians. The construction of the road went steadily on, however, scrip being used instead of money. This scrip was based on ceded lands and almost the whole road was financed with it. Noah Noble, who had the southern end in charge, laid off the road in sections of four miles each. By act of February 4, 1831, Polke opened the sale of land at Logansport. No land was to be sold under $1.25 per acre. The part of the road from Logansport to St. Joseph county was ordered under contract at a price not exceeding $150 per mile. The road was divided into three sections.[11] The first, from Madison to Indianapolis, was under the immediate supervision of Daniel Kelso; the second reached to Logansport and was under Horace Bassett; the last was under Polke himself. Contracts for building the road were let during the year 1832. Beginning at Madison, the road was laid off into sections of from ten to twenty miles each and the grading let to the lowest bidder. Bridges were let under separate contracts. The whole road, 265 miles long, was put under contract by June 30. During 1832 road lands were placed on sale at Laporte.[12] Scrip was accepted in

[9] *Western Sun*, Oct. 30, 1830.
[10] *Western Sun*, Jan. 15, 1831.
[11] *House Journal*, 1834, 106.
[12] *House Journal*, 1833, Appendix.

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payment for all lands. The road was cleared one hundred feet wide, thirty feet of which was grubbed and graded. By 1836 it was clearly ascertained that this made a poor road. In the worst stretches logs were laid crosswise and covered with sand. Many bridges were washed away every year by the streams. Although the road was used enormously north of Indianapolis, it was anything but satisfactory. It passed through fourteen counties, and was used by the inhabitants of thirty-five in going to the capital. The General Assembly at almost every session had to make an appropriation for repairs.

By 1837 the State was not able to give further aid to it, the State's resources being completely prostrated. By act of February 2, 1837, the various county boards, through whose jurisdiction the road ran, were required to divide it into suitable sections, over each of which a supervisor was to be placed with power to call out the hands to keep it in repair.[13] The hands were liable to two days' work a year. By act of February 13, 1841, and January 31, 1842, the road was classed with all other State roads and brought entirely within the compass of the general road law of 1838.

The Michigan road began at Madison, ran almost due north through Jefferson and Ripley counties to Greensburg in Decatur. Thence by a direct line, it led across Shelby county to the capital. The important sections of the road were those from Indianapolis across Hamilton, Boone, Clinton, and Carroll counties to Logansport, and from that place due north again across Cass, Fulton, and Marshall, to South Bend, and thence west to Michigan City. During eight months of the year it was an open passable highway, but during the winter it was an endless stream of black mud and almost useless. Its importance may be estimated from the fact that one-half the pioneers of the north-

[13] *Laws of Indiana*, 1836, ch. 49, sec. 3.

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west quarter of Indiana reached their homes over it. As a road it was not comparable to the National, but it was an available means of reaching a very attractive country when there was none other.

## § 50 Stage Lines

The stage coach followed close on the trail of the pioneers. Early in the spring of 1820 a Mr. Foyles started a stage line from Louisville to Vincennes. The advertisement stated that it was the first line to be established in the State, and this is, perhaps, true. The trace from Louisville to Vincennes is the oldest in the State. At first it ran along the boundary between Crawford and Orange counties following the south bank of Driftwood and crossing White river north of Petersburg. But the settlement of the towns of Washington, Mt. Pleasant, Hindostan, and Paoli caused most travelers to go by the northern route. It was over these routes that Foyles established his stage line, using whichever road seemed best.

This line continued in operation till it was superseded by the Baltimore & Ohio Railroad just before the Civil War.[14] The General Assembly petitioned Congress in 1829 for a grant of land to aid in building a clay turnpike over this route, but no aid was received.[15]

One among the first advertisements of a regular stage line to Indianapolis appears to have been that of John Wilson. This line from Madison began during the summer of 1828. The stage left Indianapolis at 7 a. m. Thursday, reached Columbus via Franklin at 5 p. m. Friday, left there at 7 a. m. Saturday and arrived at Madison via Vernon at 5 p. m. Sunday. The fare was six and one-quarter cents per mile with fifteen pounds of baggage free.

[14] At present a stage runs from Paoli to New Albany over this same road, now a macadamized turnpike. This is the oldest pike in the State and also the oldest stage line.

[15] *Indiana Journal*, Dec. 24, 1829.

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In 1830 James Johnson started a line from Lawrenceburg, making the distance to Indianapolis in two days and one night. The next year, 1831, A. L. and W. L. Ross put stages on the Brookville road. These connected at Brookille with A. McCarty's line for Cincinnati, and at Rushville with the Ohio stage. The Brookville stage made the trip in two days, or three days to Cincinnati. In June, 1832, P. Beers advertised that his stage would make the trip from Indianapolis to Dayton, Ohio, in two and one-half days, or, connecting at Eaton, the passenger could reach Cincinnati in two and one-half days. The following summer, April 26, James Johnson and Company put on a through line of stages between Cincinnati and Indianapolis via Lawrenceburg, Napoleon, Greensburg, and Shelbyville. The Johnson coaches made the trip in two days and nights, the fare being $5.50 one way.

Not to be outdone in this race, James H. Wallace and Company, the next spring, put coaches on the Madison line which made the trip in one day, leaving Indianapolis Mondays, Wednesdays and Fridays at 3 a. m. and reaching Madison at 8 p. m. in time to catch the Cincinnati packet, which would land them early next morning at Cincinnati, after a night's sleep and a good breakfast. Hacks were kept at each end of the route for the convenience of those who did not want to travel so swiftly. In 1835 Seth M. Leavenworth, founder of the town by that name in Crawford county, in partnership with John Orchard and Jonathan Williams, started a stage line from Leavenworth via Fredonia, Milltown, Proctersville, Paoli, Orleans, Bedford, Springville, Bloomington, Martinsville and Port Royal to Indianapolis. This line was intended especially for students going to the State College and for boatmen returning from down river.[16]

[16] *Indiana Journal*, May 15, 1835.

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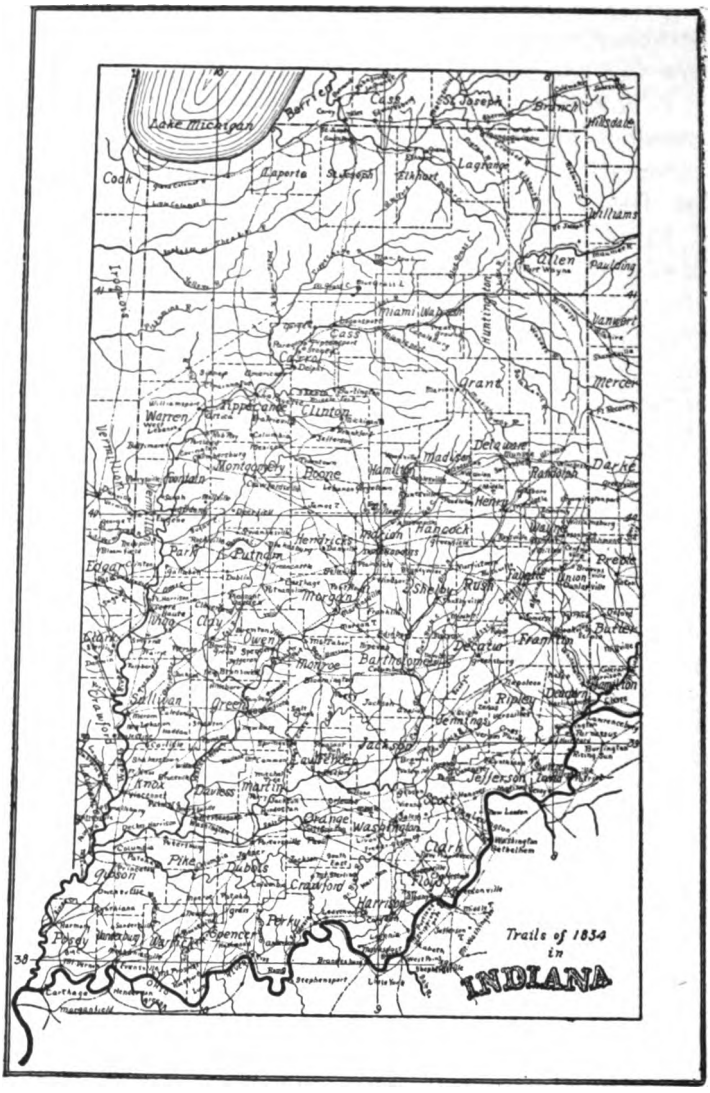


**Roads and Trails of Early Indiana**

**By S. Augustus Mitchell, 1834**

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Meanwhile lines were being projected into other parts of the State. The heavy immigration into the Wabash country soon caused a great amount of travel to Terre Haute, Lafayette, and Logansport. As early as 1838, Cyrus Vigus of Logansport put a line of stages on the Michigan road from Indianapolis through Logansport to Michigan City. At the same time, W. L. Ross was making preparations for starting a line from Lafayette, through Logansport and Peru to Fort Wayne. At Lafayette the Ross stages connected with the Indianapolis stage via Crawfordsville, and at Fort Wayne connection was made for Toledo. On these lines were beautiful four-horse coaches carrying the United States mails. The former line made the trip twice a week from Michigan City to the capital.

In September Mr. Vigus changed his route so that the main line extended from Niles, Michigan, to Indianapolis. At Niles, it connected with the daily Chicago and Detroit stages; at Plymouth, a stage for Laporte and Michigan City could be had; at Indianapolis, connections could be made with daily stages for Dayton and Cincinnati, Madison, Terre Haute, or with tri-weekly stages to Cincinnati and Louisville. The bright new stages of the Vigus line cost $600 each and were the pride of the settlers along the way.[17]

Traveling in the early coaches was not unmixed pleasure. If the roads were dry, the passengers had to hold on tightly as the stage bounced from rock to rock. If the roads were wet, there was danger from overturning. In 1838 a stage mired and turned over on Washington street, Indianapolis, seriously injuring several of the occupants. Crossing streams was attended with risk. The roadway may have been washed away,

[17] These advertisements are found in the *Logansport Telegraph*, the *Indiana Journal*, and *Indiana Democrat* of Indianapolis, the Madison *Courier*, and the *Lafayette Free Press*. Dr. J. Z. Powell, *History of Cass County*, I, 196.

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leaving the stage to turn over. Congressman John Test had his leg broken in 1830, when the Cincinnati stage turned over in crossing Mill creek.[18]

## § 51 Opening Streams for Navigation

The second plan of the General Assembly to secure commercial communication with the world was to open up the streams for navigation. The natural features of the State easily lent themselves to this plan. The southern boundary was a navigable river from which numerous tributaries led into the interior. On the west was the Wabash, crossing the State diagonally, and sending off large branches to almost every county. The northeast was accessible from the Maumee, while the northwest had the St. Joseph river and Lake Michigan. Unfortunately, all the streams, except the Ohio, were too small for successful navigation; but it was thought that, by clearing them of snags and bars, they could be made navigable for pirogues and small flatboats. They would thus answer the purpose of highways, at least for the present. The first step in transforming these streams into highways was to declare them navigable waterways, thus forbidding their obstruction by milldams and bridges.[19]

This work was begun during the fourth session of the General Assembly at Corydon. By a combination bill, approved January 17, 1820, almost every creek large enough to float a sawlog was opened, so far as a

[18] *Indiana Democrat*, Dec. 4, 1830.

[19] The ordinance of 1787 provided that: "The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of said territory as to the citizens of the United States, and those of any other State that may be admitted into the Confederacy, without any tax, impost or duty therefor." This plainly meant "navigable" for the canoes and bateaux then used for navigation, and the early legislation was based on that understanding.

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statute without an appropriation would effect it.[20] Later the General Assembly tried a different plan.[21] January 21, 1826, John Eaton, Jacob Wolf, and Joseph Latshaw were commissioned to clear Busseron creek from Eaton's mills to its mouth in the Wabash above Vincennes. Log creek in Switzerland county, Plumb creek in the same county, Big Indian creek in Morgan county, Lick creek in Orange county, Lost river in Orange county, Mississinewa river from Marion to Peru, Brushy Fork of Muscatatuck, and Eel river up into Putnam county, were likewise put in commission. The county boards of justices had chief control of most of this work.

The commissioners were empowered to call out the "hands" living within two miles of the stream to help clear it. Little serious effort was ever spent on any of the minor streams, but great hopes were built on the possibilities of the White and Wabash rivers. It was confidently believed that White river could be opened to year-round navigation for boats of large tonnage. Much labor was spent on these streams, but the re-

[20] *Laws of Indiana*, 1820, 59. By this law White river to the forks at Daviess county; West fork to the Delaware towns near Muncie; Driftwood to Flat Rock in Shelby county; Muscatatuck from its mouth to Vernon; Big Blue to Fredericksburg near the south line of Washington county; Whitewater from the north boundary of Fayette county to the Ohio; Anderson from its mouth at Troy to the Hurricane fork near St. Meinrad; Poison creek to Cumming's mill; Oil creek to Aaron Cunningham's mill (the two latter entirely in Perry county); Raccoon creek in Parke county to Brook's mill; Big creek to Black's mill; Loughrey creek in Ohio county up to Hartford; Patoka river to Moseby's mill; Indian creek in Harrison county; Indian Kentucky creek for a few miles in Jefferson county up to Brook's mill; Little Pigeon and Big Pigeon creeks, the latter at Evansville, the former between Spencer and Warrick counties; Big Sand creek to its forks near Scipio in Jennings county, were all declared navigable streams.

[21] *Laws of Indiana*, 1825, chs. 34, 35, 36, 37, 38, 39, 40. See also *ibid* 1826, chs. 29, 40, 41, 42, and 1827, chs. 42, 43.

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curring freshets kept the rivers full of drifts and uprooted trees. The journals of the General Assembly contain numerous petitions to break up drifts that had interrupted navigation. The streams formed the main outlet for the surplus farm products of their valleys. Flatboats were built, loaded in convenient pools, and, when the water reached the proper stage, were floated down to the Wabash and Ohio, then either reshipped or taken to New Orleans. Hundreds of these went down the Wabash every year.

Upstream navigation was well-nigh impossible, but was occasionally resorted to when roads were impassable. It was difficult to get along the shore with a tow line, so the only way to propel a boat upstream was with sharp poles set against the bottom. This plan was used most on the upper Wabash from Lafayette to Logansport and Peru. Steamboats rarely went above Lafayette, and for several years an extensive commerce in salt and manufactured goods was carried on between that place and upstream towns, by means of pole boats. For this purpose they used a flat-bottomed boat thirty to forty feet long, with four foot guards, along which six or eight men walked and pushed with spike poles set against the bottom. In this manner three or four tons could be transported eight to ten miles a day.

Merchants from the river towns frequently induced masters of small steamers to undertake to navigate the smaller rivers. In 1828 merchants from Indianapolis, Spencer, and Bloomington chartered the steamer "Triton," fifty-two tons burden, to carry a cargo from Louisville. It left Louisville, April 24, and in four days reached a drift fourteen miles below Spencer.[22] Two years later the "Traveler," under Captain Smith, reached Spencer in three days from Louisville. As early as 1827 Noah Noble, later governor, tried to in-

[22] *Indiana Journal*, May 15, 1828.

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duce the Kanawha Salt Company to send a steamer to Indianapolis, but was unsuccessful. The "Victory" came within fifty miles of the capital during the year, but was compelled to turn back.

On April 11, 1831, there appeared in White river, at Indianapolis, a real steamboat, the "Robert Hanna." Not only was there a real steamboat, but it was pushing a heavily laden keel barge. The citizens of Indianapolis had always claimed that White river was navigable. Now who could deny it? No excitement in the history of the town compared to this. Every man, woman and child lined up on the banks of the river. There was no time for sleep that night. Early the next day Capt. B. I. Blythe paraded his artillery company on the bank and fired a salute. The captain of the boat then offered to take the ladies who wished to go on an excursion up the river. There was no lack of volunteers and the gallant captain had to make a second trip.[23] The boat had been purchased by Hanna & Company, contractors on the National Road, to be used to haul stone from the Port Royal bluffs for the big bridge across White river. The boat was not built on the lines required and had to be sent back.

On its return trip it ran on a bar at Hog Island, a few miles down, and lay there till winter. However, the event added greatly to the reputation of the capital and limited the swaggering of the members from the river cities, Madison, New Albany, and Vincennes.

There were many attempts in the early years of Indiana to pilot steamboats to the upper Wabash towns. The best water came in March usually. In 1821 William C. Linton, a trader from Terre Haute, had a steamer run to that town, which they estimated to be three hundred miles from the Ohio.[24] A merchant of Lafayette, named Isaac C. Elston, freighted a

[23] *Indiana Journal*, April 16, 1831.

[24] *Miami Times* quoted in *The Western Sun*, May 8, 1830.

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steamer to that town as early as 1825. On March 24, 1830, Capt. John Moon, of Ripley, Ohio, ran the "Paragon" to the mouth of Rock creek, about twelve miles below Logansport. He reported good water—six and one-half feet—on the bar below Logansport. These reports, and the fact that boats could be loaded anywhere along the river for the New Orleans market, brought a rush of settlers. The steamer "American," James L. Wilson, master, was during the time making regular trips from Louisville to Terre Haute.[25] The steamer "Lawrence" from Cincinnati, 125 tons burden, chartered by Joseph L. Sloan and Landes, reached Covington March 18, 1827, only six months after the sale of lots for that town had been held. The same year a steamer made its way up to Lafayette.[26]

The shopkeepers of Delphi and Peru had tried, unsuccessfully for some years to secure regular naviga-

[25] From the *Western Sun* of April 25, 1829, the following river news is taken: April 17, "Criterion" arrived from Lafayette to Shawneetown; 18, "Victory" from Lafayette to Louisville; 19, "Wm. Tell" from Cincinnati to Lafayette; 21, "Criterion" returned from Shawneetown with a barge of salt in tow. From the same paper, April 23, 1831, is the following: April 16, "Pearl" from Shawneetown to Eugene; April 17, "Fairy" from Louisville to Lafayette; April 18, "Pearl" on return to Shawneetown; April 20, "Forester" from Lafayette to Louisville; April 18, "Java" Louisville to Eugene; on the 23d, the "Experiment" made the trip, the first on record, from New Orleans direct to Terre Haute.

In the issue of March 27, 1834, these arrivals at Vincennes were noted: March 22, "Camden" from Lafayette, and "Shylock" from the mouth of the Wabash; 24, "Salem" from Pittsburg, and "Tennessee" from Lafayette; 25, "Logansport" from Delphi; "Sabine" from Pittsburg; "Fairy" from the mouth of the Wabash; 26, "Tide" from Lafayette; "Wm. Hurlburt" from Cincinnati; on 26, "Monroe" and "Salem" down from Lafayette. From April 14 to 27, forty-one boats landed at Terre Haute. The "Indian" was built that spring expressly to do the carrying trade from Cincinnati to Lafayette. While the stage of water would permit —during February, March and April—there was at least one boat per day at the Vincennes wharf.

[26] *Indiana Gazette*, April 3, 1827.

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tion up to those towns.[27] Finally, they prevailed on the master of the little steamer, "Republican," to make a trial trip. Accordingly, on the June rise, 1834, the start was made with a number of Logansport men on board, and also the interested merchants. The boat moved along beautifully till, a few miles above the Delphi landing, it began to strike. The crew had to get out at sandbars and lift and push. Hawsers were run ashore and used as tow lines. Finally it struck the Georgetown Bar and stuck fast. Captain Towe, as well as Colonel Pollard and Job Eldridge, who had goods aboard, got out in the water and pushed and hauled. It was no use. Twenty yoke of cattle were hitched on and the little "Republican," shorn of much of her prestige, but still alive, steamed into the harbor at Logansport. The return trip was never attempted. The boat bilged and sank near the mouth of Eel river.[28] This, if not the first, was among the first of the steamboats that ever went up so far. The soundings taken by the "Republican" showed that Delphi could be reached easily; and the next year a petition was sent to Congress by the Delphians asking that that place be made a port of entry.

A like excitement was caused on the St. Joseph three years later when the "Matilda Barney" steamed down to the South Bend on her way to Elkhart and Goshen. She had on board one hundred passengers and ten tons of freight, and was drawing thirteen inches of water. Everybody in reach rushed to the banks to see the wonder. Land along the river rose over night from $5 to $10 per acre.[29] The most promising point along the river at that time was the iron foundry at Mishawaka.

[27] Sanford Cox, *Recollections of an Old Settler*, (1860).

[28] Dr. James H. Stewart, *Recollections of Carroll County*, Cincinnati, 1873.

[29] *Western Sun*, May 31, 1834.

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## § 52 The Flatboat Trade

It is not beyond the fact to say that nine-tenths of the surplus produce of Indiana from 1820 to 1840 was carried to market on flatboats. The merchants did most, but by no means all, of the boating business. Early in the spring they put their boat carpenters to work. The finest poplars in the neighboring forest were marked for gunwales. Some of these were eighty feet long. They were usually cut before the sap rose in the spring and left in the woods as long as possible to season. By the first of the following March the boats must be completed and at the landing ready for loading. The loading of the boats was no ordinary event in the neighborhood. The produce had all been prepared beforehand and in many cases had been stored in a warehouse at the landing. The owners of the boats watched the stage of the water, and when it was thought to be favorable, they sent word to everybody in the neighborhood either to bring in their produce or come with all hands and the teams to load the boats. It was usual for the women to come also, not only to cook for the hands, but to help wrap and store away the goods on the boat. It was a time of great gaiety. On the bank stood a barrel of whiskey with its head knocked in and a gourd to drink from. When the loading was done and the boats gone, a frolic at the nearest and most commodious house or barn closed the event.

By 1827 the New Orleans market was failing, not on account of the quantity of produce, but on account of the time and manner of reaching it. Three-fourths of the marketable produce of the Mississippi valley was run out in March. This deluge struck New Orleans all at once, and, it being a small city, was unable

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to care for it till it could be shipped to New York. In the spring of 1826, one hundred and fifty-two flatboats passed Vincennes loaded for New Orleans. They carried 250,000 bushels of corn, 100,000 barrels of pork, 10,000 hams, 2,500 live cattle, 10,000 pounds of beeswax, 3,600 venison hams, besides hogs, oats, meal, chickens, etc.[30] From these statistics it is evident that about three hundred flatboats left the Wabash each year.

From Lawrenceburg to Mount Vernon on the Ohio there was scarcely a five mile stretch but what had its "landing," where flatboats were loaded for the down-river trade. In 1828 David Guard & Brothers, farmers on the river above Lawrenceburg, bought the abandoned steamer "Scioto" and transformed it into a barge, on which they placed 600 live hogs, a large number of fat cattle, chickens, geese, corn, 500 kegs of lard, 500 barrels of pork, and other produce, all from their own farm, and set out, March 10, for New Orleans.[31]

From this same port twenty-seven such boats were run in one year. Down below, at Vevay, the Dufours and Schencks, known by their products throughout the east, loaded their annual fleet with wine, hay, straw hats, and other produce of this energetic French community. Madison, the center of the pork-packing industry in the State, did the largest down river business of any town in the State. Not only from the river-board but from the tributary streams, such as Pigeon and Anderson, Oil and Blue, Indian and Loughry, came numberless boats. Scores of busy little town-landings of that day have completely disappeared from the map. Such were Maysville, Hindostan, Palestine, Fredonia, Pittsburg, Port Royal and Darlington.

Passengers and pilots on upstream steamboats

[30] *Western Sun*, June 17, 1826.
[31] *Lawrenceburg Palladium*, March 15, 1828.

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counted hundreds of flatboats in a single day. John Matthews, a veteran boatman of Indiana, commenting on the large number of boatmen at New Orleans in the spring of 1829, observed that over half were from Indiana.[32]

As far as possible the boatmen gathered in groups, often ten to twenty boats keeping company. When a fleet of them tied up in a down-river port like Paducah, Natchez, Vicksburg, or Plaquemine the crews had high revels. Old rivermen indulged in all kinds of jokes on green hands, then on their first trip. At New Orleans there were sights to keep all on the alert. The splendor of the theaters, gardens, churches, and stores were such as the young boatmen had never dreamed of. Scarcely an hour was spent in sleep during the three or four days' stay by those on their first trip.

The merchant or master was busy during this time disposing of his cargo and buying goods with the proceeds. Little cash was brought back to Indiana. The return trip was not so pleasant for the boatmen as the going. Until about 1840 most of the men returned on foot. This was not only tiresome but dangerous. The down-river country, and especially the roads frequented by returning boatmen, were infested by thieves and robbers. Gangs of gamblers, murderers, and river pirates preyed on the commerce from Cairo to New Orleans. Frequently, as in the case of the one at Cave-in-the-Rocks, Illinois, pirate bands were strong enough to overpower a flatboat crew and rob them.

After 1840, or thereabouts, the boatmen returned by steamer to the nearest Ohio river town, and thence walked home. Those from the Wabash towns landed at Evansville; those from the central part of the State landed at Leavenworth, or New Albany.

[32] *Indiana Journal*, August 1, 1834.

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## § 53 Early Mail Service

THE chief means of communication between Indianians and the outside world was the United States mails. These were necessarily infrequent and irregular. The mail routes were laid out and the service directed by Congress, and there seems at this date to have been little cause for complaint by the pioneers. Sometimes the carrier was delayed a few days by high water. Frequently he was drowned in trying to swim his horse across a flooded river. More frequently the postmasters took the newspapers from the bags and detained them until next trip—often a week—that they might read them. In 1827 the publishers of the *Indiana Journal* complained that half their papers were so detained.

At the same time the editor explained that he had issued no paper the previous week because the mails from Cincinnati had been delayed two weeks by high waters. There were at that time thirty routes in the State. Nearly all were weekly. On one the mail left Lawrenceburg at two p. m. Monday and arrived at Indianapolis at six p. m. Wednesday. This was a fair example of the service.

"Franked" congressional documents often clogged the mails to the exclusion of more important matter. Captain Sample, the postmaster at Connersville in 1828, complained that he had over a wagon load of this material, nearly all franked by T. P. Moore, a congressman from Kentucky, to Jonathan McCarty—the Jacksonian candidate for Congress in that district.

The postal receipts during the year 1828 for Indianapolis were $379; Brookville, $142; Crawfordsville, $139; Fort Wayne, $158; Terre Haute, $235; Madison, $323. For the whole State it was $7,905. There were then one hundred and forty-nine offices in the State, thirty-seven of which had been established

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that year.[33] The development, however, was rapid. At the beginning of 1830 Indianapolis had a weekly mail to Madison, Louisville, Elizabethtown, Ky., Petersburg, Terre Haute, Mooresville, Noblesville, Lawrenceburg, and twice a week to Brookville, and to Dayton.[34]

## § 54 Settlement of the Wabash Country

No description can give an accurate impression of the settlement of Indiana. One who has watched the rising waters of a flood overflow the land will appreciate the overflow of the State by the swelling tide of immigration. By 1825 the settlers were entering the northern half of the State. The "New Purchase" in 1818 opened almost all the land south of the Wabash to settlement.

As noted in the last chapter, land sales at Crawfordsville had been opened by Ambrose Whitlock and Williamson Dunn, December 24, 1824, though there was no permanent land office established there till 1828.[35]

Crawfordsville became the converging point for all settlers northwest of the capital. The first settlers of Lafayette and Delphi, and what was then called the upper Wabash country, made their way from the upper Whitewater valley across by Andersontown, thence down White river to Strawtown, near Noblesville. There they took the Wilderness road by Thorntown to Crawfordsville. From White river to Crawfordsville there was not a white man's house along

[33] *American State Papers, Post Office*, I, 208.

[34] *Indiana Journal*, Jan. 16, 1830. In 1832 the South Bend *North Western Pioneer* announced with great pride that South Bend had a twice-a-week mail from Piqua, Ohio. Before that a weekly mail from Fort Wayne had been sufficient; cf. Waldo Mitchell, "Growth of Indiana, 1812-1820," *Indiana Magazine of History*, Dec. 1914, where a number of the early routes are given.

[35] Sanford C. Cox, *Recollections of the Early Settlement of the Wabash Valley*, 17.

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this trace in 1825.[36] A score of families constituted the little settlement at Crawfordsville and then the forest stretched unbroken to Terre Haute.

Along this trace, in October, 1824, came Sanford Cox, his father, mother, brothers and sisters, among the first to reach the Wabash country by this overland route. The Robinson family, Henry and his sons, Abner and Coleman, their wives and children, from Dayton, Ohio, had preceded the Coxes by only a few days. At Crawfordsville they selected their land, and cut a trace for their wagon into Carroll county, the earliest settlers in the vicinity of Delphi.[37]

The whole country to the northwest of Montgomery county was then known as Wabash county and was attached to Montgomery for administrative purposes. Early in the spring of 1825 Robert Johnson, the tavern keeper of Crawfordsville, surveyed for William Digby the town site for Lafayette. In January, 1826, Tippecanoe county was set off by the General Assembly and in May following the commissioners located the county seat at Lafayette.[38]

Almost at the same time, March 28, 1826, John Tipton moved the Fort Wayne Indian Agency to the mouth of Eel river. April 16, 1828, the town site of Logansport was surveyed, and August 12, 1829, it became the county seat of Cass county.[39]

[36] "Soon after crossing White river we passed Beckwith's place. Mr. Ogle, who drove the (ox) team, told us to take a good look at that cabin as it was the last we would see for forty miles." Sanford Cox, *Recollections*, 11.

[37] Dr. James Hervey Stewart, *Recollections of the Early Settlement of Carroll County*, 13.

[38] Dr. E. V. Shockley, in an article entitled "County Seats and County Seat Wars," *Indiana Magazine of History*, March, 1914, has given the location of the different county seats of the counties of Indiana, showing the time, manner, and inducements, that led up to them. In the case of Lafayette the proprietor gave the even numbered lots to the county as a price for the location.

[39] W. Swift Wright, *Pastime Sketches*. This is a series of articles written for, and read to the Cass County Historical Society.

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Fort Wayne had been the seat of a military post or Indian agency for nearly a century before any real settlement was made. In 1822 a land office was established there under charge of Joseph Holman and Samuel C. Vance. The first land sale was opened at the fort, October 22, 1823. Squatters and traders, such as Samuel Hanna, James Barnett, Alexander Ewing, Samuel Comparet and others, had already settled there. The General Assembly of 1823 laid out Allen county, the county seat being located the following year at Fort Wayne.[40]

As early as 1823 Alexis Coquillard, a fur trader, established a trading station where the city of South Bend now stands. Lathrop Taylor soon followed. The station was an outpost of Fort Wayne. Real settlers soon followed and by the time the Michigan Road reached the place a considerable settlement had sprung up.[41]

Settlers entered Lake county by way of Lake Michigan and the "Old Sac Trail." The Indian title to this section was not secured till 1828 and 1832. The Black Hawk War in the latter year scared away prospective settlers, but in 1833 a stage line from Detroit to Fort Dearborn, passing through, opened up the country to settlement.

It is thought that the first settlement in the region was made by a tavern keeper named Bennett, who located his hostelry near the mouth of the Calumet. Traces ran from Laporte to Hickory creek, Illinois, passing Cedar Lake. This latter was called the "Old Sac Trail."[42]

Settlers had established homes on the prairies about Laporte as early as 1830, there being about 100 fam-

[40] Wallace A. Brice, *History of Fort Wayne*, 293.

[41] Judge Timothy E. Howard, *A History of St. Joseph County*, 132.

[42] Rev. T. H. Ball, *Lake County, Indiana*, 20.

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ilies in that neighborhood by the close of 1832, when Laporte county was organized.[43]

These settlements indicate the main lines of immigration, but only the main lines. Thousands came up the Wabash; others came by trail to the Wabash from Lake Michigan, a harbor having been made on the Indiana shore as early as 1834.[44]

"Nothing is more common," wrote Rev. George Bush, of Indianapolis, November 20, 1826, "than to see fifteen or twenty wagons passing in a single day, each carrying the little belongings of the family that trudged along by its side. Indiana is now teeming with the hordes of immigration. As many as thirty wagons camp together for the night."[45]

"For a week our town has scarce been clear of immigrant wagons," wrote the editor of the *Indiana Gazette*, of Indianapolis, October 30, 1827.[46] It was reported that 200 families passed through Centerville for the Wabash country during the two months of September and October, 1827. Since 1820 there had been organized in the "New Purchase" twenty-one counties whose population in 1827 totaled 55,000.[47] There was no cessation in this rush of settlers. During the years from 1829 to 1835 the flood poured along the roads that centered in Indianapolis. From there they took the Crawfordsville, Logansport, or Terre Haute trails. The canal agitation, which began in 1827, quickened the movement and swelled the crowd. Sales of canal lands all along the route attracted speculators, city builders, and settlers in ever increasing numbers.

[43] Gen. Jasper Packard, *History of LaPorte County*, 36.

[44] *Indiana Journal*, Jan. 18, 1834.

[45] Rev. George Bush. to Corresponding Secretary of the Home Missionary Society, *Indiana Gazette*, April 3, 1827. "Their destination is the Wabash above Terre Haute. We wonder why a merciful providence kept this country hid from civilized man, or why he did not create an especially gifted race for its occupation."

[46] *Indiana Gazette*, Oct. 30, 1827.

[47] *Western Sun*, Nov. 10, 1827.

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Cities like Lagro, Peru, Miamisport, Pittsburg, Logansport, Lockport, Lafayette, Williamsport, Eugene, Attica and Covington sprang up in a season and became flourishing towns.[48]

The bulk of population, as shown by the census of 1830, was still in the southern part of the State. The Whitewater valley was most thickly settled. Wayne county, with a population of 18,589; Dearborn, with 13,955; Jefferson, with 11,465; Franklin, with 10,990, were the leading counties. The immense throng of settlers, then crowding to the Wabash frontier, passed through these counties and thousands became permanent residents, who had intended to go to the Wabash.[49]

Another large body of population was located,

[48] *Paoli Patriot*, quoted in *Madison Republican*, Oct. 9, 1834, "We presume not less than one hundred and fifty wagons have passed through this village in the last two weeks." The Indianapolis *Indiana Democrat*, Oct. 3, 1834. "Our streets are one moving mass of living men, women, and children, carriages, wagons, cattle, horses, hogs and sheep, all joyously wending their way to their new habitations. The old, middle aged, and young go together. Nor is this moving spirit confined to one part of our State alone, but we believe tens of thousands are going by the lakes, and every leading road abounds with similar trains of emigrants." The *Indiana Journal*, Sept. 8, 1830, called attention to the heavy immigration then pouring through Indianapolis. The capital that year had a population of 1,094; Vincennes 1,560; Salem 853; Madison 1,752. The newspapers were filled with the advertisements of towns. Andersontown, Knightstown, Muncytown 1827, Delphi 1828, Blakesbury, Brentonville, Marion, Mooresville 1830, Lebanon, New Maysville, South Bend, LaPorte 1832, Michigan City, Allisonville 1833. New Bethel, Monticello, Plymouth, Germantown, Northfield, Peru 1834, will give some idea how fast these towns were laid out and placed on the markets. The date given is the first advertisement for the sale of lots. There were scores of towns laid out and advertised which can not now be located on the map.

[49] Dr. James Hervey Stewart, *Recollections of the Early Settlement of Carroll County*, 12. "On passing through Richmond and Centerville we were annoyed by croaking predictions of ill-luck uttered on all sides. 'You will never get through' said one, 'You will die if you go to the Wabash; every one that goes there dies in less than a year,' said another."

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roughly speaking, in the triangle of hilly country with its base resting on the Ohio from Madison to Leavenworth and its apex at Crawfordsville. Most of these settlers had entered through Clark county, which then contained 10,719 persons.

As an evidence of the heavy immigration into the Wabash country, Tippecanoe county had a population of 7,167; Fountain had 7,644, either equal to that of Marion, with 7,181, or Montgomery, with 7,386.[50]

[50] *Vevay Messenger*, Sept. 27, 1831, gave the following census report of Indiana for 1830:

| County | Census. | County | Census. | County | Census. |
|---|---|---|---|---|---|
| Allen | 1,000 | Marion | 7,181 | Madison | 2,242 |
| Bartholomew | 5,480 | Montgomery | 7,386 | Parke | 7,534 |
| Clark | 10,719 | Morgan | 579 | Cass | 1,154 |
| Crawford | 3,234 | Monroe | 5,678 | Rush | 9,918 |
| Carroll | 1,614 | Orange | 5,909 | Ripley | 3,959 |
| Clay | 1,616 | Owen | 7,090 | Randolph | 3,912 |
| Boone | 622 | Posey | 4,883 | Sullivan | 4,696 |
| Dearborn | 13,955 | Perry | 6,378 | St. Joseph | 287 |
| Decatur | 5,851 | Putnam | 8,495 | Switzerland | 7,111 |
| Delaware | 2,372 | Pike | 2,464 | Scott | 3,097 |
| Daviess | 4,512 | Hendricks | 3,667 | Spencer | 3,187 |
| Dubois | 1,774 | Henry | 6,498 | Shelby | 6,294 |
| Elkhart | 935 | Hamilton | 1,750 | Tippecanoe | 7,167 |
| Franklin | 10,990 | Jefferson | 11,465 | Union | 7,957 |
| Fayette | 9,112 | Clinton | 1,423 | Vanderburgh | 2,610 |
| Fountain | 7,644 | Jackson | 4 894 | Vigo | 5,736 |
| Floyd | 9,368 | Johnson | 4,139 | Vermillion | 5,706 |
| Gibson | 5,417 | Jennings | 3,950 | Washington | 13,072 |
| Greene | 4,253 | Knox | 6,557 | Warren | 2,854 |
| Hancock | 1,569 | Lawrence | 9,239 | Warrick | 2,973 |
| Harrison | 10,088 | Martin | 2,010 | Wayne | 18,589 |
| | | | | Total | 344,508 |

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## CHAPTER XII

### RELIGION AND EDUCATION IN EARLY INDIANA

### § 55 CHURCHES

THERE was periodical preaching among the Indiana settlers from the earliest years of the nineteenth century. The log houses and barns of the settlers were used as meeting houses. Occasionally a rough pulpit was erected in the grove and more or less regular services held in the shade of the trees. Itinerant priests and preachers were pressed into service. Many of these were merely accidental visitors, others were traveling under the direction of eastern missionary societies.

The earliest church organization in Indiana was the Catholic at Vincennes. The records of this parish church date back to 1749. From this date to 1834, when Bishop Gabriel Bruté became the bishop of Vincennes, thirty priests had served in succession. The earlier priests, particularly Bishop Flaget, had traveled over Indiana, ministering to the Catholic settlers, revalidating marriages, administering sacraments, and receiving converts into communion. Much traditional evidence remains of the ministrations of this clergyman.[1]

With the appointment of Bishop Bruté, Vincennes, which had formerly belonged to the diocese of Bards-

[1] Rev. Herman Alerding, *A History of the Catholic Church in the Diocese of Vincennes*, 92. In 1823 and again in 1825 Bishop Flaget traveled from New Albany to Vincennes holding church at such places as New Albany, the Knobs, Mt. Pleasant, Washington, and Black Oak Ridge. At Vincennes in an eight day meeting he secured three hundred converts.



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town, Kentucky, became an independent see. His jurisdiction included Indiana and much of Illinois. As soon as the new St. Francis Xavier cathedral church at Vincennes was dedicated Bishop Bruté and the resident priest, Lalumiére, started on a tour of the State.[2]

The Catholic settlers were gathered into congregations at suitable places and priests sent them as soon as possible. Bishop Bruté was a man of remarkable activity, and, by the time of his death, June 26, 1839, had the State well organized.[3] Catholic missionaries worked among the Indians as well as among the white settlers. Fathers Bessonies and Kundeck are remembered with gratitude by many Protestants as well as Catholics.

The first session of the Indiana Conference of the Methodist Episcopal church was held at New Albany in 1832. There were represented in the conference five presiding elders' districts. These were Madison, Charlestown, Indianapolis, Vincennes, and the Missionary district covering the whole northern part of the State.[4] There were reported at this time 19,853 white members and 182 colored. There were sixty preachers appointed and four charges left unsupplied. These were under the direction of five presiding elders. There was scarcely a nook or corner of the State not reached by the famous circuit riders of this church.

As early as 1804 Peter Cartwright and Benjamin

[2] In the *Western Sun* (Vincennes), March 4, 1826, is a notice by Father Champomier that the cornerstone of the new Cathedral Church would be laid March 30. Catholics and Protestants alike were invited and Protestants aided liberally in the work of construction. Nov. 6, following, the unfinished walls were thrown down by a violent wind. Indiana and Illinois then constituted the diocese. This was by far the finest church building in the State.

[3] Alerding, *A History of the Diocese of Vincennes*, 121-161, The Bishop was buried in the sanctuary of the Cathedral of Vincennes where his body still remains.

[4] Rev. F. C. Holliday, *Indiana Methodism*, 75.

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Lakin, who were then riding the Shelby and Salt River circuits in Kentucky, crossed over and preached in Clark's grant. The principal gathering places of the early Methodists were at the homes of the Robinsons and Prathers near Charlestown.[5]

Mr. Cartwright also organized the first Methodist church in southwestern Indiana, in the Busroe settlement, about this time. These converts were organized into a class in 1808.[6] Whitewater circuit, in western Ohio, was organized in 1806, soon after, including among its charges Brookville, Liberty and Connersville. In 1807 the Silver Creek circuit, in Clark county, was organized and placed under the charge of Rev. Moses Ashworth.[7]

In 1808 Indiana district was organized, including parts of Ohio, Indiana, Illinois, and Missouri. Among the noted preachers who devoted their lives to this work were Moses Crume, Josiah Crawford, Samuel Parker and William Winans. The latter is said to have been the first Protestant preacher to visit Vincennes. On one of his early visits he preached in the fort to the officers, a few English and French settlers, and a small number of Indians. Governor Harrison held the candle, by the light of which he read his text.[8]

In 1816 the Western Conference, of which Indiana circuit had been a part, was broken and the Missouri conference established. The Whitewater valley was placed in the Ohio conference and the rest of the State in the Missouri conference. All told, there were seven circuits in the State at the time.

In 1824 the Illinois conference was established, to

[5] Nathan Robinson moved to Indiana from Kentucky in 1799 and was perhaps the pioneer Methodist of the State. Stevens, *History of Methodism*, IV, 152, 153; Sweet, *Indiana Magazine of History*, Dec., 1914.

[6] Peter Cartwright, *Autobiography*.

[7] F. C. Holliday, *Indiana Methodism*, 26.

[8] F. C. Holliday, *Indiana Methodism*, 28.

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include Illinois and Indiana. It held its first annual meeting at Charlestown, August 25, 1825. There were then four districts, with thirty-one circuits and stations. At the next meeting, which was held at Bloomington, September 28, 1826, the reports showed a membership in Indiana of 10,840.

No other church grew so rapidly during the pioneer period. A succession of able preachers, such as Jay C. Smith,[9] Allen Wiley,[10] Peter Cartwright,[11] John Schrader, Richard Hargrave, William Cravens and scores of others, left evidence of their power not only in the remarkable organization of the church but on the political and educational institutions of the State. Among early Methodist laymen were such as Dennis Pennington, Ezra Ferris, James Scott and Isaac Dunn.

Unclean politics had headquarters at this time in the bar-rooms of the taverns. On these the Methodists made ceaseless war. On the other hand, many circuit riders preached frequently in bar-rooms, the tavern keeper maintaining excellent order during the time. It is said the first sermons heard in New Albany and Rising Sun were thus preached in bar-rooms.[12]

The Baptist was the pioneer Protestant church in Indiana. The first church of this denomination was organized at Owen's creek, near the Falls of the Ohio, in Knox county, November 22, 1798. There seems to have been four members.[13] The congregation met either at Owen's creek, Fourteen Mile creek, or Silver creek. At the meeting of August 8, 1801, they chose delegates to the Salem, Kentucky, association and thus became a regularly organized church. March 21, 1812,

[9] *Reminiscences of Early Methodism in Indiana*, 1879.

[10] *Life and Times of Rev. Allen Wiley*, by F. C. Holliday, 1853; *Sketches of Western Methodism*, by James B. Finley, 1856; *Scenes in My Life*, Rev. Mark Trafton, 1878.

[11] *Autobiography of Peter Cartwright.*

[12] F. C. Holliday, *Indiana Methodism*, 98.

[13] W. T. Stott, *Indiana Baptist History*, 37.

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the allied churches of Silver Creek, Mount Pleasant, Fourteen Mile, Knob Creek, Indian Creek, Upper Blue River, Lower Blue River, Camp Creek, Salem, and White River formed the Silver Creek association.[14]

However, this was not the first but the third association formed by this church in Indiana. The first had been organized over at Vincennes in 1809, and had been named the Wabash. Besides a few Illinois congregations it included the Bethel, Patoka, Salem, Wabash, and the famous Maria Creek congregations in Indiana.

The second Indiana association was an offshoot of the old Miami association, and, taking its name from its own local Jordan, was called the Whitewater. Loughery association was organized in 1818; White River in 1821; Flat Rock, Little Pigeon and Salem in 1822; Liberty and Union in 1824; Lost River in 1825; Indianapolis in 1826; Coffee Creek and Danville in 1827; Madison and Tippecanoe in 1833; Curry's Prairie in 1834; Brownstown and White Lick in 1835; Northern in 1836; Bethel in 1837; Freedom and Salamonie in 1840; Northeastern in 1841; Bedford, 1842; Sand Creek, 1843; Judson, 1848; Evansville and Long Run, 1850; Whitewater Valley, 1852; Weasaw Creek, 1853; Mount Zion, 1855; Friendship, 1856; Indiana (colored), 1858. This list shows at a glance the heroic work these men and women were doing. By 1840 every part of the State was reached by their ministers.

In April, 1833, representatives of twenty-one of these associations met at Brandywine church and organized the Indiana Baptist association or convention. Its purpose was to unite all the Baptist churches in Indiana and thus conform to the spirit of the time. No early church was more energetic than the Baptist until internal dissensions over such questions as the origin of evil, missions, education, and ceremonials in a meas-

[14] *Indiana Baptist History*, 77.

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ure disrupted the organization and dissipated its zeal and resources.

Like the other Protestant churches, the Presbyterian made its entrance into Indiana from the neighboring charges in Kentucky. Members of the Kentucky churches were continually crossing the Ohio into Indiana. Nothing more natural than that the preachers would occasionally visit their former brethren on the north side of the river, or that the Transylvania presbytery should retain an interest in its people in their new homes in the wilderness. As early as 1804 such preachers as Samuel Rannels, James McGready, Thomas Cleland and Samuel B. Robertson crossed over from their stations to visit old friends in Clark and Knox counties.[15] Even earlier, in 1803, Transylvania presbytery, sitting at Danville, Kentucky, determined to send missionaries to Indiana.[16] The records of the presbytery show frequent applications by Indiana settlers for "supplies," as visiting preachers were called. One of these came to the presbytery, in 1805, from Knox county. In response Thomas Cleland visited Vincennes and preached in the council house. The youthful preacher was entertained by Governor Harrison, whose young wife was a Presbyterian.[17]

Two years later Samuel Thornton Scott came to "Indiana" church as the first residing Presbyterian pastor in the State. This church had been organized in 1806 by Samuel B. Robertson. The meeting house

[15] John M. Dickey, *Brief History*, 11.

[16] *Minutes of Transylvania Presbytery*, II, 72.

[17] "In the Spring of 1805 I was directed to visit Vincennes and the adjoining regions. It was an uninhabited region. I had to go through a small wilderness trace with only one residence on the way, in the most destitute part of the way, to entertain me during the night. Here was my poor horse tied to a tree, fed with grain packed in a wallet from Louisville and myself stretched on the puncheon floor of a small cabin, for the night's rest." Cleland, *Life of Cleland*, 87.

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was the barn of Colonel Small, two miles east of Vincennes. A short time later Mr. Scott had a pulpit built in the grove, and here at "the Presbyterian Stand" the Presbyterians of Vincennes and vicinity worshipped for many years.

The life of such a preacher differed little from that of other pioneers except that on Sundays he preached and performed other official duties of the church. He received no salary worth mentioning for this, but had to depend on the produce of his farm and shop for a living.[18]

In 1807 Palmyra church, near Charlestown, was organized, but no resident preacher was stationed there till after the War of 1812. In fact this church did not take on a permanent organization till 1812. During the winter of 1812 and 1813 John McElroy Dickey visited the State, preaching in Clark and Daviess counties, a church near the present city of Washington having been organized a few years previously by Mr. Scott, of Vincennes. In May, 1815, Mr. Dickey moved to Washington and soon became the most active worker in the Presbyterian church of Indiana. For a third of a century "Father" Dickey traveled over southern Indiana, preaching and teaching and helping his wife incidentally to rear their eleven children.

In 1816 there came to Indiana a number of Presbyterian missionaries sent by the New England societies. As a rule these men accepted no regular charges but traveled over the State somewhat after the manner of the Methodist preachers. The most noted of these mis-

[18] There was a certain amount of kindliness shown the preacher, which was not expected by others. Hunters often sent a hind quarter of venison to the preacher, because he could not hunt on Sunday. Tavern keepers and ferrymen never charged him. When Robertson lost his hat and one boot swimming White river, Governor Harrison freely supplied the loss. These little aids largely compensated the preacher for his salary.

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sionaries were Isaac Reed[19] and William W. Martin.[20] Until 1823 the Indiana churches belonged to the Louisville presbytery. By an act of the Kentucky synod, October, 1823, most of the Indiana churches were organized into the Salem presbytery, which held its first meeting April 1, 1824, at Salem.[21] Within the next two years Madison and Wabash presbyteries were added to the list. These, together with the Missouri presbytery, were organized into the Indiana synod, which met the first time October 18, 1826, at Vincennes.[22] This conference constituted the Presbyterian church in Indiana. The meetings for church organization were as truly State conventions as the meeting held at Corydon in 1816.

The Christian (Disciples) church had its origin in Indiana early in the nineteenth century. It was a result of the protest against creeds in the church. It gained its membership largely from the Baptist and the Dunkard societies, though many Presbyterians and Methodists became members. It is impossible in many instances to tell at what point a Baptist church became a "New Light" and then a Disciple or Christian.

John Wright, a Baptist of the Blue River, Washington county, church, is frequently given as the first Christian preacher of the State. He began his work as a "Reformer" in 1819. The Dunkards, then quite numerous in south central Indiana, joined the movement in large numbers—fifteen churches joining in a body. The Blue River and Silver Creek associations

[19] *Youth's Book.* In this Mr. Reed details a great many of his experiences as a missionary in Indiana.

[20] Father of Dr. W. A. P. Martin, President of the Imperial University of China.

[21] William Robinson, John Todd, Samuel T. Scott, William W. Martin, John M. Dickey, John F. Crow and Isaac Reed were the members, all being present but the first.

[22] Baynard R. Hall, *The New Purchase*, chs. 37, 38. The best treatise is Hanford A. Edson, *Early Presbyterianism in Indiana.*

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of the Baptist church became almost entirely "New Light," and then Christian.

Somewhat later, but independently, what were known as the Calvinistic Baptist churches of Rush and Fayette counties, under the lead of John T. Thompson, became Christian. The Flat Rock Baptist congregation was the first to go over. Some of these were called "Reformers" and some "New Lights."

Michael Combs, a "New Light" convert of Wayne county, moved to Montgomery county in 1826 and organized the new church in that section. Beginning with 1826, the teaching of Alexander Campbell reinforced the movement in Indiana. The *Christian Baptist*, the organ of the new church, circulated widely in the State. By 1840 the church was well organized and prosperous.

The earliest Quaker church in the State was organized in a log hut on the present site of Richmond in 1807. A large number of Quakers had come to Eastern Indiana and Western Ohio where they organized the Miami Monthly Meeting, to which most of those in Wayne county belonged. The first Yearly Meeting for Indiana was held at the log church in Richmond in 1821. At this meeting they made arrangements to build a more commodious house. Many Quakers lived also in Washington, Parke and Hendricks counties. Like the other denominations they soon established their church schools. Bloomingdale Academy dates from 1845 and Earlham college opened its doors two years later.[28]

[28] A good brief history of the origin of the Christian Church in Indiana is an article by Rev. H. Clay Trusty, of Indianapolis, in the *Indiana Magazine of History*, VI, 17. For biographies of the leading pioneer preachers of this sect see Madison Evans, *Biographical Sketches of the Pioneer Preachers of Indiana*, 1862; also files of *Christian Record*, 1843-1858. For the Quakers see Andrew W. Young, *History of Wayne County*, 399; Harlow Lindley, "Quakers in the Old Northwest," in *Proceedings of the Mississippi Valley Historical Association*, V, 60.

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Besides the regular work of the church many auxiliary societies were organized. At Charlestown, August 2, 1826, delegates met and established the Indiana Sabbath School Union. Preliminaries for this had been arranged at a meeting held in Charlestown in the preceding October. The purpose of this was the promotion of Bible study, especially among the children. The society established three depots, one at Madison, one at New Albany, and one at Indianapolis, where religious tracts, suitable for use in the Sunday schools, could be had. The Indiana Union was a branch of the American Sabbath School Union.[24]

The American Bible Society, organized in 1816, sent its agents into the State to organize auxiliary societies. In 1826 there were six such societies in Indiana. Their mission was to supply Bibles to any one at cost, and to all who could not pay, they were given free. On the boards of these societies were found the most substantial citizens of the day. One of their Bibles not infrequently made up the library of a pioneer family.[25] In 1832 M. Fairfield, agent for Indiana, reported that he had visited forty counties and given away about $15,000 worth of Bibles.[26]

Closely allied with the church was the Indiana Temperance Society—organized December 9, 1830.[27] There

[24] *Indiana Journal*, July 8, 1826. For an account of the Indianapolis Sabbath School Society, established March 29, 1823, see a four column anniversary report by its president, Isaac Coe, *Indiana Journal*, April 10, 1827.

[25] *Indiana Journal*, November 24, 1826; *ibid* May 12, 1830.

[26] *Indiana Journal*, April 7, 1832.

[27] *Indiana Journal*, Dec. 3, 1829; Dec. 16, 1829; Jan. 10, 1832. "When treated by medical writers and arranged according to its effects on the human body, distilled spirits is placed in the same class with hemlock, opium and various other poisons." After enumerating the effects of liquor as a producer of crime, the report adds: "In all this outline of misery the countless woes arising from understandings blinded, consciences seared, and hearts hardened are not enumerated." *First annual report*, by Secretary J. M. Ray, cashier of the Indiana National Bank.

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were twenty-five subordinate societies in the State. Each of these sent delegates to the State meeting held at the capital every winter while the General Assembly was in session. Bethuel F. Morris was its first president.

In close connection with the above was the Anti-Gambling Society, organized at Indianapolis, June, 1834, with branches in the principal towns of the State. Isaac Coe, Superintendent of the Indianapolis Sabbath School, was the leader in this movement. Its purpose was to rid the State of the professional gamblers. The success of this society is a proof that Indiana had passed the pioneer period.[28]

The Indiana Colonization Society was organized at Indianapolis, November 4, 1829.[29] Like its kindred societies, it was State wide, composed of small local subordinate societies in the various counties. It collected, chiefly through the churches, money to pay the expense of sending free negroes to Liberia. Mr. Findley, the society's agent, reported that he had a band of eighty liberated negroes ready at the time of the second anniversary meeting to go to Liberia. The leading officers of the State were connected with this society, which enjoyed a long and worthy career.[30]

There was considerable effort put forth during the period from 1825 to 1840 toward improved agriculture. Centers of this work were Wayne, Washington and Marion counties, in each of which a county society was

[28] *Indiana Journal*, June 21, 1834; and Aug. 14, 1835. The society furnished evidence to grand juries and legal aid to prosecutors.

[29] Judge Jesse L. Holman presided over this meeting. The other members of the State Supreme Court were active members. Indianapolis *Gazette*, Nov. 12, 1829.

[30] *Indiana Journal*, Jan. 7, 1832. The second annual report by J. M. Ray is given. Closely akin to this was the society organized in Indianapolis during the winter of 1834 for the promotion of universal peace. A public lecture on the evils of war was provided for each winter while the legislature was in session. *Indiana Journal*, Jan. 1, 1834.

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formed. An agricultural journal made its appearance also in each county. This work was summed up in the law of February 7, 1835, providing for a county society in each county affiliated with the State society.[31] County fairs were held, at which all the various lines of agricultural produce were shown. The greatest good came from the association of farmers and the resulting discussion. Farmers' picnics were held in the groves, where clever handiwork was inspected or addresses by prominent farmers listened to. By this time the early settlers had succeeded in clearing up suitable farms and were beginning to enjoy a small amount of leisure. Their first thoughts were naturally turned toward relief from their hard life. As a result many of the hardships of pioneer life disappeared.[32]

In the Indianapolis papers, December 8, 1830, appeared a card calling for a meeting of all citizens interested in forming a State Historical Society.[33] The society was organized, December 11, with Judge Benjamin Parke as the first president. Its stated purpose was to collect and preserve the documents of our history and besides to establish a museum in which the relics might be kept for show.[34] The General Assem-

[31] *Laws of Indiana*, 1834.

[32] *Indiana Journal*, May 15, 1835. The State Board at its annual meeting, April 28, offered premiums for the best essays on (1) best breeds of cattle, (2) horticulture, (3) vine culture, (4) mulberry culture, (5) growing of live fences (hedges), (6) vegetable physiology.

[33] *Indiana Journal*, Dec. 8, 1830. "The members of the General Assembly, the members of the Supreme and Circuit Courts, the Reverend Clergy, Gentlemen of the Bar, Physicians and Citizens generally, are requested to meet at the Court House on Saturday evening next at 11 o'clock for the purpose of taking into consideration the expediency of establishing and organizing an Historical Society for the State of Indiana."

[34] See the Constitution, *Indiana Journal* Dec. 15, 1830. Three judges of the Supreme Court and two future governors, Whitcomb and Wallace, were on the committee that drew up the Constitution. Dr. Andrew Wylie, president of the Indiana College, delivered the first annual address, Dec. 10, 1831.

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bly later provided that the society should be furnished with duplicate copies of all papers and books printed by the State. However, no permanent home was ever provided and the work so well begun was not kept up. The large and priceless collection was loaned and lost until at present the society, though still alive, has no library at all.[35]

## § 56 EDUCATION

UNFORTUNATELY the high hopes of the first settlers of Indiana for the foundation of a common school system were not realized. The constitution directed the General Assembly to provide for a complete system of schools, "ascending in regular gradation from township schools to a State University."[36] This ambitious program was destined to remain a dead letter for almost a century. There was no system and very few schools in Indiana before the Civil War. The constitutional provision remained little more than the expression of an ideal. The Enabling Act of 1816 gave to the citizens of each congressional township section sixteen of the public land. Each section was worth about $2 per acre, or $1,280. The gift, unfortunately, was not to the State but to the citizens. There was thus entailed on the government one of the worst features of a decentralized school system. Some sections of school land were valuable, others worthless. The principal result of the gift was that it continually held out a hope of education to the citizens where no realization could follow.

A law of 1816 permitted the citizens of a congressional township to elect three school trustees to admin-

[35] The Society was incorporated Jan. 10, 1831. In the first 65 pages of Vol. I of the *Proceedings* are the minutes of the society during the first 56 years of its existence. These are fragmentary and worthless. They show, however, that there has always been alive among our citizens some appreciation of the State's history.

[36] Constitution of Indiana, Art. IX, sec. 2.

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ister the funds. The law of 1824 incorporated the congressional townships, giving the trustees limited power to lease or sell school lands. The trustees might also divide the township into districts, over each of which they could appoint three sub-trustees. These district officers were authorized to locate and build houses, determine the length of the term and the method of payment of the tuition tax, provided any were levied. Books, discipline, course of study, and even methods of instruction were left to the district trustees. Maladministration and neglect are the chief features in the history of the schools under this law.

After 1833 the district trustees were elected by the qualified voters of the district. In 1836 any individual might hire a teacher and draw his part of the school fund for maintenance. There was only one more step that could be taken, and this was taken in 1841, when the qualifications of the teacher were left to the district trustees.

It is not strange that under these circumstances the teaching profession disappeared. Men of high education and of great power filled the ranks of the preachers and lawyers, but the teacher of this period was not uncommonly the laughing stock of the neighborhood.

While other institutions of the State were taking on efficient, State-wide organization, the schools, under the domination of the ruinous idea of local self-government, were struggling hopelessly with unequal lengths of terms, incapable teachers, dishonest trustees, diversity of text-books, lax enforcement of school laws and school discipline, neighborhood quarrels over school sites, narrow views of education, and lack of wise leadership. This situation lasted until the revision of the school law of 1843. The latter date perhaps marks the lowest level of general intelligence ever reached in

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the State. The harmful effects of the failure to organize were felt in all classes and fields of social life.[37]

Despairing of any relief from the public schools, the churches had, each in its way, tried to solve the problem of popular education. Almost every preacher was a school teacher. The Catholics had a large number of fairly good schools, at which not only their own, but Protestant children received instruction. Hundreds of private subscription schools were founded and continued for uncertain periods. Such schools depended so completely on the teacher and local conditions that no history of them can be written. Any native of the State, past the age of seventy, can describe a pioneer school; no one can describe the pioneer schools.

Higher education fared better in early Indiana than did the common schools. A law of 1806 provided for an university at Vincennes. The national government endowed the institution with a township of land. A distinguished board of trustees did all that was possible to support the institution but after a fitful life as college and seminary it became dormant and its endowment was taken for the present State University.

The constitution of 1816 provided that after four

[37] The best discussion of this phase of early education is by Dr. W. A. Rawles, *Centralizing Tendencies in the Administration of Indiana*, 1903. See also R. G. Boone, *History of Education in Indiana; Laws of Indiana*, 1816, 1818, 1827, 1834, 1840. *House Journal*, 1839; *Senate Journal*, 1825; *Documentary Journal*, 1841. By 1840 the leading men of the State recognized the complete failure of the schools. Governor Bigger, in his message, 1842, said "Our schools are a mass of statutory provisions, presenting difficulties even to the legally disciplined mind, which are almost insuperable to the ordinary citizen." The House Committee on Education, 1840, reported: "We present almost the only example of a State professing to have in force a system of common school education, which does not know the amount or condition of its school funds, the number of schools and scholars to be taught and to receive the distribution of those funds. It is a body without a head." *House Journal*, 1840, 393. See also the Judiciary Report, *House Journal*, 1840, 963.

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years the General Assembly should establish a State Seminary. In pursuance of this, an act was approved, January 20, 1820, under which a board of trustees organized the State Seminary at Bloomington.[38] The General Assembly, in 1822, sold the seminary lands in Gibson county, belonging to Vincennes University, and turned the proceeds over to the new State Seminary.

In 1828 the State Seminary became Indiana College, under a board of fifteen trustees. In 1838 Indiana College became Indiana University. Its history for a half century is a continuous struggle for money, and students, to keep it alive. Its graduating classes before the Civil War rarely numbered a dozen and more often fell below a half dozen. The torch of learning was kept burning, however, and that is more than was done in neighboring States.[39]

The intense religious feeling of the times interfered with any united effort in higher education. Hardly had the State University been organized when a clerical quarrel began over its control. This was most unfortunate for the university. Feeling that they were not fairly represented on the board or the faculty of the State University, the Methodists with-

[38] This board consisted of Judge Charles Dewey, Jonathan Lindley, David H. Maxwell, John M. Jenkins, Jonathan Nichols and William Lowe. *Indiana Journal*, Mar. 15, 1825, contains a notice of the opening of the State Seminary at Bloomington. Trustees will open it first Monday in April, 1825. Rev. Baynard R. Hall is the superintendent and faculty. Tuition, $5 per year. Good board can be had for $1.25 per week. The institution will be classical and each student must have following books: Ross' *Latin Grammar;* Valpy's *Greek Grammar; Colloquies of Corderius; Testament; Selectae e Verteri; Graeca Minora; Selectae e Profanis; Caesar; Virgil.* Must have no ponies. Trustees, Joshua O. Howe, Samuel Dodds, John Ketcham, William Lowe, Jonathan Nichols, D. H. Maxwell. Cf. Baynard R. Hall, *The New Purchase.*

[39] T. A. Wylie, *Indiana University*, 1890; *Indiana Alumni Quarterly*, I.

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drew their support and by 1840 Indiana Asbury University was open for students.[40]

The Baptists, as early as 1834, began an agitation for a college under their own control. As a result of this Franklin College was located in 1835. In its early years it passed through much of the same vicissitudes as the other Indiana pioneer schools.[41]

The Presbyterians of Salem presbytery, as early as 1825, took up the matter of establishing an academy. John Finley Crow was then maintaining a boarding school at South Hanover. In 1826 the presbytery arranged with Mr. Crow to enlarge his school, as soon as possible, into a classical school where boys and young men might prepare for college, and thus for the ministry. This school was formally opened in a log house, January 1, 1827. The usual struggle followed. Like its predecessor at Bloomington, about all that can be said of it during the next half century is that it survived.[42]

The Catholics were the earliest and also the latest to found denominational colleges in this period. The institutions at Vincennes date back to the early years of the State's history but none of them ever gave promise of becoming a first class college or university. Father Sorin, a member of the Congregation of the Holy Cross of Mans, France, undertook to supply the needs of the northwestern Catholics in this respect. He reported to Bishop Hailandiére, of Vincennes, as a missionary in 1841. His first work was at St. Peters, a small missionary station in Daviess county. Here the

[40] F. C. Holliday, *Indiana Methodism*, 317. The Methodists established the New Albany Seminary in 1837; Whitewater College, at Centerville; Fort Wayne College, 1846; Brookville College, 1851; Moore's Hill College, 1853.

[41] William T. Stott, *Indiana Baptist History*, 346; see also a *History of Franklin College.*

[42] Hanford A. Edson, *Early Indiana Presbyterianism*, 228; see also *History of Hanover College.*

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college would have been located had it not been for the college at Vincennes. At the suggestion of Hailandiére, the little band from Daviess county repaired to the present site of Notre Dame du Lac, on the banks of the St. Joseph, and there, in the winter of 1842 and 1843, was founded the present college.[43]

There is no intention here of attempting a history of any of these colleges. The purpose is to illustrate the effort of the pioneers of Indiana to solve the problem of education after the State had failed. Had the State University been properly supported, and had it earlier freed itself from the reproach of sectarianism, it is conceivable that it might have gathered together all these factors and welded them into a large and prosperous school. More probably the day of the great State university had not yet come.

Between these extremes, the college and the common school, there was no direct connection. Effort was made, however, both by public and private means, to bridge over this gap in the imaginary school system of Indiana. Beginning with the constitution itself,[44] which provided for a system of intermediate schools, and extending through a series of statutes down till 1840, the State tried to establish seminaries in each county. Besides the general laws, which authorized any county under certain conditions to establish a seminary, thirty-two special laws incorporated as many county seminaries between 1825 and 1843. Two sources of revenue were provided. All fines for breaches of the penal laws went to the seminary fund. The other source was private donations. Under the general law of 1831 no county could establish a seminary until it had a fund of $400.

There was no uniformity in the management, course

[43] *A Brief History of the University of Notre Dame du Lac*, 1895.

[44] Constitution of 1816, Art. X, sec. 3.

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of study, length of term, method of instruction, text books, or any other material consideration connected with these seminaries. Like the common schools, while most of the seminaries were of no value, some rendered long and meritorious service to the community. Lack of funds, dishonest trustees and factional quarrels make up the burden of their history.[45]

The practice of medicine was considered a fit subject for legislation by the first General Assembly of the State. The circuit court districts were made medical districts, in each of which a board of censors was named. This board had power to examine and license any prospective physician it deemed well enough skilled to undertake the active practice. The usual way of preparing for these examinations was by "reading" medicine with some doctor, preferably a member of the board of censors, for a number of years. Persons refused a license were not thereby refused the right to practice but such persons were unable to collect their fees by law. Each board had to report annually to the president of the State Senate.

A significant provision of this law forbade any physician charging a patient more than twelve and one-half cents per mile for the distance necessarily traveled. This fee might be doubled if the trip were made at night.[46]

The General Assembly of 1825 revised the law concerning medical societies, establishing the State Medical Society, composed of delegates from each district society. The district censors still retained the right to license candidates, but if a candidate were refused he had the privilege of appealing to the State society. The latter body was also directed to establish a "Uniform system of the course and time of medical study, and the

[45] A seminary paper by Walter Jackson Wakefield is the best study that has been made of these schools.

[46] *Laws of Indiana*, 1816, 161.

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qualifications necessary for license."[47] In its general features this law remained until 1843, when it was omitted from the Revision of that year.[48]

[47] *Laws of Indiana*, 1825, 40.

[48] W. A. Rawles, *Centralizing Tendencies in the Administration of Indiana*, 234.

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## CHAPTER XIII

### POLITICS FROM 1825 TO 1840

### § 57 THE JACKSONIAN PARTY

FROM the beginning of the territorial government, in 1800, there had been more or less political rivalry between the eastern and western settlers. It was first noticeable between the settlers of Vincennes and those of Clark's Grant. Later it appeared between the settlers of the Whitewater valley and those of the Wabash. With the adoption of the constitution in 1816 this rivalry began to disappear. A part of that hostility had been due to the belief by the eastern settlers that the territorial officers at Vincennes had too much authority. After Jonathan Jennings, of Clark county, became governor, William Hendricks, of Jefferson, congressman, and James Noble, of Franklin, senator, a similar complaint was heard from Vincennes. It was charged that everything was decided by a caucus of office holders at Corydon or Indianapolis.

By 1824 the old Congressional Caucus at Washington was regarded with suspicion by the western democrats. The methods of Governor Jennings and his followers were said to be very much like those at Washington.[1]

It was customary at this time for a number of leading members of the General Assembly, together with the governor and a few other State officers, to meet during the November term of the supreme court or about the close of the annual legislative session and lay their political plans for the coming year. At

[1] *Western Sun*, March 29, 1817.



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a meeting of this kind Adams presidential electors had been chosen early in the year 1824. The electors were the three judges of the supreme court, the ex-lieutenant governor, and the speaker of the house of representatives, all members of the officeholding aristocracy, as was charged at the time.

Along with the oppositon to the caucus the question of the relation of a representative to his constituents was widely discussed. The same party that opposed the caucus demanded that the representative either in Congress or the General Assembly should vote as his constituents wished him to, and not as he thought individually. If unable to carry out the will of his supporters, the representative should resign. This was called the "right of instruction."[2]

Another source of political unrest was the growing belief among the farmers that a class of professional officeholders was in charge of the State government. There was considerable ground for the charge. The men who made the constitution administered it until about 1829, when the Jacksonian revolution turned them out.[3]

[2] In Nov., 1820, Enoch D. John and Joseph Hanna, members elect from Franklin county to the General Assembly, sent out a handbill calling their constituents into convention for the purpose of framing instructions to guide their course in the Assembly soon to meet. The editor of the Vincennes *Centinel*, a government organ, remarked editorially: "We do not think highly of this mode of legislation. If members are not fit for their station all the wit of their constituents cannot make them so, in so short a time. We might as well send our instructions on pack horses."

[3] *Western Sun*, March 29, 1817. Sixteen out of the forty-two members of the constitutional convention returned to the first session of the legislature. At least six more immediately accepted some office under the constitution. All told, the members sat for a total of 154 terms, making an average, not counting those in administrative offices, of about four years' service in the General Assembly for each member. Considering 38, the number of members of the first session, to have remained the size of the Assembly, there would have been an average attend-

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The same class of farmers that opposed the office-holders in the caucus opposed the banks. The failure of the First State Bank strengthened this party materially. Those farmers and merchants able to load a flatboat for the down river trade were now frequently called the traders. In their homes there were some evidences of luxury brought from New Orleans. The poorer class of farmers were often called the "yeomanry," a term they disliked at first, but one they became proud of under Jackson.

The followers of Jackson were handicapped by lack of leaders, and means to carry on a campaign. Scarcely a member of the party held office. The election of John Q. Adams by the house of representatives welded the dissatisfied democrats of Indiana into the Jacksonian Democratic party. There was a fierceness in their resentment of the treatment of Jackson which was little short of warlike. They referred to the election of Adams as "the theft of the presidency." All believed that Clay had sold his influence to Adams for the appointment as secretary of state, a bargain and sale of the government which they thought far more dangerous than Burr's Conspiracy.[4]

As soon as the election of Adams was known in Indiana a real political party began to take form. At log-rollings, boat-loadings, and above all on muster days the agitation was kept up. Viewed in all lights and from any angle, Jackson appeared to them their natural leader. He was a western man, a pioneer democrat. Unlike Clay, he had refused to affiliate with

ance by the members of the convention of seventeen members, almost a majority. Add to these terms served by the members as governors, congressmen, senators, judges, and in the national service and one begins to realize that the offices were fairly monopolized by a small group of politicians. It is clearly not too much to say that they ruled the State during the period from 1816 to 1824.

[4] *Western Sun*, April 2, 1825.

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the aristocratic congressmen from the east. The Indians were the greatest menace to the pioneer. He had driven them beyond the Missisippi. The English were the only national enemy; at New Orleans he had defeated their finest army with the untrained battalions of pioneer militia. In all his success he had preserved his sincerity and his modesty. In this he was held up as a contrast to Clay, the modern Esau. The Democratic campaign was pitched on a high plane. The nation was in danger of monarchy, the west was entitled to a share in the government, the common man must assert his rights and, most important of all, Jackson must be vindicated. These were the planks of the platform.

Like skillful soldiers, the Jacksonians began the battle by attacking and taking the outposts of the enemy, the township, county and militia offices. These were largely in the hands of the Jacksonians by 1828. By that time also a county and township political organization had been completed. Seeing the drift of public opinion, one newspaper after another became Jacksonian.[5]

Jackson had been nominated by the legislature of Tennessee in 1825; so it was not necessary to hold a State convention in Indiana except to nominate electors. This convention, the second in the history of the State, was held at Indianapolis, January 8, 1828.[6] Regularly chosen delegates, thirty-seven in number, representing twenty counties, were present. Nine members of the General Assembly, for counties not otherwise represented, were also made members.

The significant thing about this convention was the political organization it perfected. Beginning with the

[5] *Western Sun*, Feb. 17, 1827. "The friends of General Jackson will be pleased to note that the cause is gaining in the State. Within a few days the *Palladium* (Lawrenceburg), the *Guest* (of Vevay) and the *Annotator* (Salem) have come out for him."

[6] *Western Sun*, Jan. 26, 1828; *Indiana Journal*, Jan. 9, 1828.

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township, it provided that the lister (our assessor) of property, when he made his annual visit in the spring, should note the political preference of each voter. This poll book was then turned over to the vigilance committee (our precinct committeemen), who reported the voters to the county committee of correspondence. The vigilance committee divided the voters of the township into groups, and members of the committee visited each voter personally. The vigilance committee also raised funds, furnished tickets to the voters on election day, arranged for stump speakings, and on election day attended the polls. The committee of correspondence resembled our county central committee and looked after county politics. It also communicated with the committee of general superintendence, our state central committee.[7] This convention adopted a platform favoring democracy as against Federalism, the American system of government as against the English, and the responsibility of public officers to the people. With this platform and this organization the Jacksonian party entered the campaign in 1828 to vindicate Jackson and reclaim the liberties to the people.

It was this superb party organization that enabled the Jacksonian Democrats to carry nearly all the presidential elections in Indiana, though the State, on national issues was opposed to them.

Opposed to the Jacksonians were the Adams and Clay men, who called themselves National or Jeffersonian Republicans. This party contained nearly all the experienced politicians of the State, though it must be kept in mind that political lines were not so clear and

[7] *Indiana State Journal*, Jan. 9, 1828. The state committee consisted of R. C. Newland, Eli W. Malott, John McMahan, Henry S. Handy, all of Washington county; Gen. John Carr, of Clark; William Hoggatt, of Orange; William Marshall, of Jackson; A. S. Burnett, of Floyd; John Milroy, of Lawrence; Nelson Lodge, of Jefferson; Elihu Stout, of Knox; William C. Keen, of Switzerland; Jacob B. Lowe, of Monroe; David V. Culley, of Dearborn; Thomas Posey, of Harrison. At least six of these were editors.

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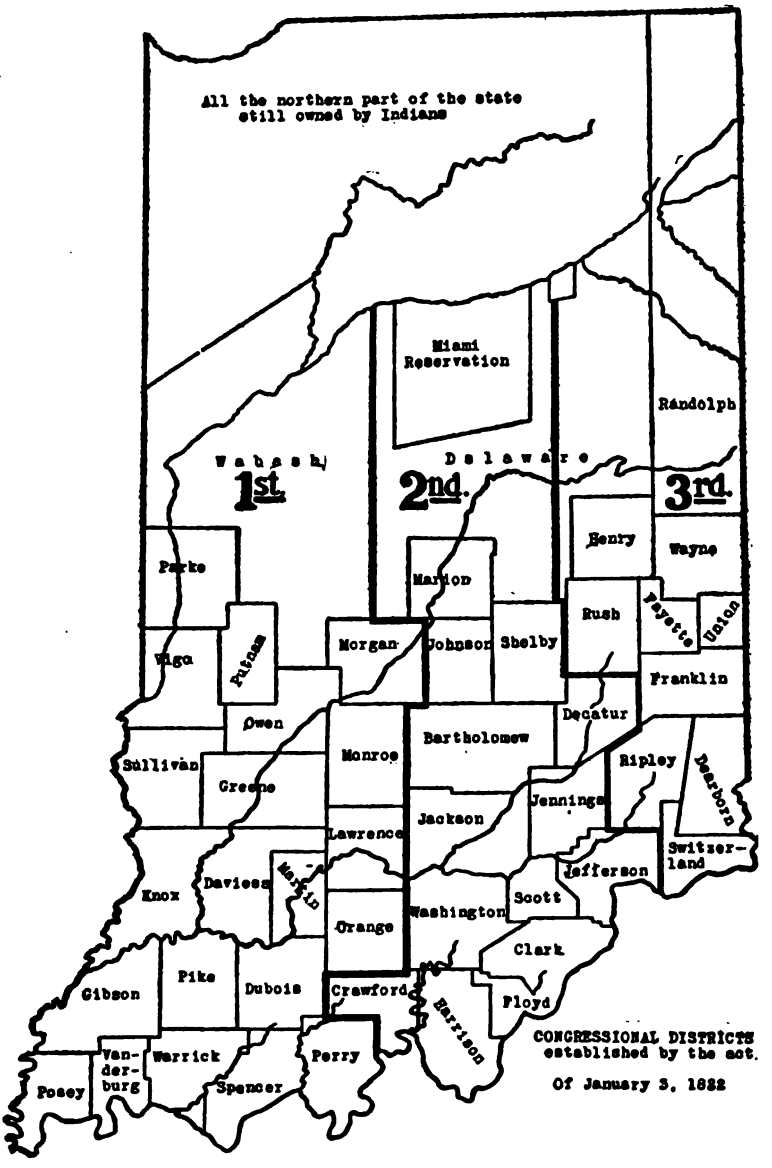


INDIANA IN 1822 BY E. V. SHOCKLEY

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strong as at present. Senator John Tipton was an influential politician of this period though it could hardly be said he belonged to either party. The same was true of Governors Jennings and Noble.

The Adams, or Administration men, held their State convention at Indianapolis, January 12, 1828.[8] Of the fifty-seven delegates present all seem to have been office-holders and most of them were members of the General Assembly then in session. Forty-one of the fifty-six counties of the State were represented. In looking over the list of delegates it would seem that all the leading men of the State belonged to this party. Such was the fact. State officers and men of State reputation belonged to this party, while county and township officers belonged to the other.

The organization of the Clay-Adams party was never close and complete like that of its opponent. It depended for success on the dignity of its members, the appeal of its platform, and the oratory of its stump speakers. In these latter two points it surpassed the Jacksonians. It was the champion of the tariff, internal improvements, and the bank, all of which were favored issues among the early Indiana voters. The stump speakers of this party were eloquent, and could hold their "large and respectable audiences" for three or four hours at a time discussing the issues.

These parties have been described in some detail for the reason that they continued without change to divide the voters of Indiana down until the slavery issue broke them up. The Jackson men stood for a wider democracy, a more universal participation in the government by the common people. They demanded a firmer control over their lawmakers, a government more responsive to public opinion. They insisted on instructing their representatives and required them to

[8] *Indiana Journal*, Jan. 31, 1828.

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resign or carry out the instructions. They insisted on the government keeping out of business so far as possible, and not interfering with the affairs of the citizens.

The Adams men believed in a representative government, in which the representative was left to his own individual opinion as the guide to his political conduct. It was the duty of the voters to elect superior men to office and it was the duty of the latter to govern with justice and foresight. The clashings of these two sets of opinions, varied with endless personalities, made up the warp and woof of Indiana politics before the Civil War.

Under the old constitution the State elections were held on the first Monday in August. The governor served a term of three years, so that 1828 was the first time since 1816, when there was a State and national election the same year. Governor Ray, who had been elected in 1825 on an internal improvement platform, was a candidate for reelection.[9] In the organization of parties he had refused to take sides. He believed national politics should have no place in a State election. On this platform he had been elected in 1825 over Judge Isaac Blackford. He attempted to repeat the same tactics in 1828, but party lines were more closely drawn and it was decided by both parties to nominate opposing partisan candidates. This movement alarmed Governor Ray so much that he made a private agreement with the Jackson men that as soon as the election was over he would come out frankly for Jackson, stating publicly that Jackson's letter in

[9] James Brown Ray was born in Jefferson county, Kentucky, Feb. 19, 1794. He studied law at Cincinnati and settled down to practice at Brookville. He had served one term in the House and two terms in the Senate. He was a firm believer in the railroad and his favorite vision was Indianapolis with railroads radiating from it like spokes from a hub. He died of cholera at Cincinnati in 1848.

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answer to an inquiry by the General Assembly had assured him that the Jackson men were all right on the tariff and internal improvements.[10]

Everything seemed to be sailing on smooth seas until the governor, in a speech at Brookville, where his neighbors were nearly all Adams men, severely denounced the Jackson men as a faction not fit to be entrusted with power. This was reported to the State chairman, Henry S. Handy, of Salem, who laid the whole agreement before the Jackson committee. The Jackson men promptly disavowed the governor and nominated Dr. I. T. Canby, of Madison, for governor. The newspapers ridiculed the governor, making his position almost unbearable.[11] The election was so near at hand, however, that only a comparatively few voters learned of the double dealing, and the governor was re-elected by a substantial plurality over Dr. Canby and Harbin Moore, the Adams candidate.[12] In the following presidential election, November, 1828, Jackson carried the State by a heavy majority.

As soon as Jackson was inaugurated a reign of terror began among the Indiana politicians such as has never been experienced before nor since. The execution of office-holders began with the postmasters. It is doubtful if a single Adams man was left in a single office in Indiana. The United States marshals, district attorneys, registers and receivers of land offices, superintendents and bosses on the National Road, Indian agents, revenue collectors, and postmasters were all removed. Some of the postmasters received less

[10] *Indiana Journal*, April 3, 1828. This issue of the paper has a copy of the joint resolution, Ray's four column letter to Jackson, and Jackson's answer. Also the famous Coleman letter of Jackson on the tariff.

[11] *Indiana Journal*, July 10 and July 17, 1828, contains all the materials on this matter; see *Western Sun*, July 19, 1828; *Indiana Palladium*, July 19, 1828.

[12] The vote was: Ray, 15,141; Canby, 12,305; Moore, 10,904, *Indiana Palladium*, Dec. 13, 1828.

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than $5 per year, but they had to stand aside nevertheless. Every Jackson man appointed had been active in the campaign, so that the Jacksonian political organization was composed for the next twenty years of the federal office-holders of the State.

The people in general rather feared the result of the wholesale change, but it seems that the new officers were at least as capable as the old, and far more courteous. The experience confirmed the Jacksonian pioneers in their opinion that office holding was not a business that required either extraordinary talents or blue blood.[13]

## § 58 The Internal Improvements Party

In local politics the Internal Improvements Party controlled the State by an overwhelming majority. This party was not unevenly divided between the Jackson and Adams men. Two of its most prominent leaders were Samuel Judah of Vincennes, who wrote the Jacksonian platforms in 1824 and in 1828, and Noah Noble, the successful candidate for governor in 1831 and in 1834. It was charged that Governor Noble had voted for Jackson. National politics, at least, did not control State elections as at present. In organizing the General Assembly in 1829 J. F. D. Lanier, later the distinguished Whig banker of Madison, was made principal clerk unanimously, while Edward A. Hannegan, later the eloquent Democratic senator, was chosen enrolling clerk.[14]

The campaign for the governorship in 1831 was between Noah Noble and James G. Read, the former being successful by 2,791 majority.[15] Very little interest

[13] *Western Sun*, May 30, June 16, June 20, July 11, Aug. 29, Sept. 12, Sept. 26, 1828, and the *Indiana Journal*, April 14, 1830, give long lists.

[14] *Indiana Journal*, Dec. 8, 1829.

[15] Noah Noble was a Virginian by birth, having been born in

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was taken in the campaign. The vote shows little significance beyond the personal popularity of the two men. Both were Internal Improvement men and both had supported Jackson, though Noble later became a Whig. The congressional campaign of this year showed the superiority of the Jacksonion organization over that of the Clay supporters. The former elected all three congressmen, though in two of the districts they were in a decided minority. They held regular conventions and nominated a single candidate in each district, while in the Second district the Clay men had six candidates. Gen. John Carr, the Jacksonian candidate, was elected by 4,855 votes out of a total of 14,818 in the district. In the Third district Jonathan McCarty was elected by 6,243 votes out of a total vote of 14,639.[16]

As soon as the campaign for the governorship was over the Jackson men, now calling themselves National Democrats, began active preparation for the approaching contest between Jackson and Clay. The defeat of Mr. Read alarmed them for their supremacy. They could not tell what effect the removals from office would have; neither could they tell what influence the Second United States Bank would have with its fabulous wealth. The campaign would also have to be made against Henry Clay, a western man, and a most skillful politician, not to mention his power as a stump speaker.

Clark county, Virginia, Jan. 15, 1795. While quite small, his parents came to Kentucky, crossing over to Indiana and settling at Brookville in 1816. His older brother was United States senator and his younger brother receiver of public moneys at the Brookville land office till 1826. While moving the land office to Indianapolis that year his brother, Lazarus, died, and Noah succeeded him in the office. He had formerly been sheriff two terms and had served in the General Assembly. He held office almost all his life. He died at his home in Indianapolis in 1844. He was a Whig, though not much of a partisan.

[16] Madison *Republican*, Oct. 13, 1831.

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County conventions began in November and a State convention was called for December. The Clay men, under the name of National Republicans, and claiming to be the party of Jefferson, began their organization as soon as they learned the Democrats were at work. A series of county conventions, or mass meetings, was followed in each party by a State meeting in Indianapolis.[17] The Whigs met in the Methodist church, forty-six delegates being present from twenty-nine counties. Delegates to the Baltimore Convention were chosen and a corresponding committee of one from each county selected. The Democrats met in the courthouse, December 12. They adopted resolutions, prepared an address, endorsed Jackson, and nominated an electoral ticket.

A third party appeared in the field in this campaign. Some time in November the Anti-Masons held a convention at Hanover and decided to take an active part in the approaching election. Several newspapers were advocates of their cause and the leaders of the old parties were seriously concerned. The convention appointed a committee to ascertain the views of the candidates for the presidency. The committee addressed Clay on the subject and his answer had much to do with allaying the agitation. He pointed out to them that Masonry was strictly a non-political organization like a church or school, and it would not be good practice on the part of candidates to drag such questions into politics. The movement in Indiana subsided as rapidly as it had arisen, though for several years the Masonic order was regarded with suspicion by the public in general.[18]

[17] *Indiana Democrat*, Sept. 17, 1831; Nov. 5, 1831; Nov. 23, 1831. *Indiana Journal*, Nov. 5, 1831; Nov. 12, 1831; Dec. 14, 1831.

[18] *Indiana Journal*, Dec. 3, 1831; *Niles' Register* 41; 260. The party had an electoral ticket in the field, but no returns available give any votes cast for it. The electoral ticket is given in the Vevay *Messenger*, Nov. 3, 1832.

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The national election of 1832 was a well-conducted contest. The Jacksonian Democratic party was thrown largely on the defensive. The two candidates, Clay and Jackson, appealed to the western pioneers. Clay had much the stronger platform and Jackson had much the better organization. The Whigs held a State meeting or convention at Indianapolis, January 31, principally for the purpose of strengthening and perfecting their organization.[19] The weakness of their organization was that all the federal office holders were Democrats and thus had more time and better opportunity to meet the voters and talk politics. The Whig politician had to go and see the voters, while the voters had to go and see the Democratic politicians.

The veto of the new charter of the United States Bank upset all party plans in the State. It was known in the west that Jackson was not an enthusiastic friend of the bank, but it was not expected that he would try to kill it. The newspapers and politicians of the State were at a loss to understand the Presidential motives. Some thought it was the result of an understanding between Jackson and the wealthy money lenders of the east whereby Jackson had agreed to put all paper money out of circulation so that the wealthy who held all the specie could loan it at a much higher rate of interest.[20] Others were confident that it was a battle royal between the government and the greedy monopolists. The Democrats adroitly shifted the attack from the bank to "Nick Biddle," whose name was made a synonym for greed, usury, and high-handed spoliation. The smouldering hatred of the old Indiana note-shaving banks was also kindled to a blaze. On the whole, Indiana sustained Jackson's veto of the

[19] *Indiana Journal*, Feb. 1, 1832.

[20] *Indiana Republican*, Sept. 20, 1832, quoting the *Wabash Courier*. The *Wabash Herald* asserted the Democratic view.

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bank charter, though practically all its public men opposed it.

There was another veto, however, which could not be explained. A bill had been prepared and passed by Congress for opening the Wabash. The President had signed similar bills applying to the Tennessee river and to a river in Pennsylvania. The Indiana measure died in his pocket.[21] While this did not seem to affect the election of 1832, it did materially affect that of 1836. President Jackson's objection to the expenditure of public money on the Wabash was that the stream was not sufficient for general navigation and that there was no port of entry on the river. In the next session Senator John Tipton presented another bill for the improvement of the Wabash, including in the bill a provision making Lafayette a port of entry. Tipton cited thirty cases in which Jackson had signed similar measures. But it was all useless. The President vetoed it and thereby lost the support of his friends in the Wabash valley, and perhaps thereby lost the State to Van Buren in 1836.[22]

Just before the election, October, 1832, a committee of prominent Whigs drew up a statement called "Facts for the people." It set forth in a masterly way the national issues, and the Whig arguments. In this respect it was the forerunner of the modern campaign text-book. The vote, however, showed that Jackson still retained the support of the Indiana voters. Clay carried two of the seven congressional districts, and nineteen out of the sixty-six counties. Jackson's majority was 6,077. Fountain, Knox, Vigo, Tippecanoe, and Cass counties showed by their vote their resentment of the Wabash veto.[23] Samuel Judah, United

[21] *Indiana Journal*, Sept. 8, 1832; also Vincennes *Gazette*, Aug. 2, 1834.

[22] Logan Esarey, *Internal Improvements in Early Indiana*, 77.

[23] *Indiana Journal*, Oct. 3, 1832. For Tipton's quarrel with Jackson see *Niles' Register*, 46-443.

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States attorney, and Samuel Milroy, receiver at Crawfordsville, criticized Jackson and both lost their offices in 1833. Dr. Canby also lost his position in the land office at Crawfordsville. Judge Jeremiah Sullivan likewise bolted on the bank veto. Wayne county gave Clay a majority of 969, the largest county majority in the State. Jackson's heaviest vote came from the triangle between Indianapolis, Madison, and Evansville.[24] This was, and still is, a center of Jacksonian Democracy in Indiana.

One of the sharpest political struggles that had taken place in the State up to the time took place in the General Assembly of 1832. The veto of the bill rechartering the Second Bank of the United States made it imperative that some form of currency be provided for the citizens of Indiana. Several plans were submitted and many committee reports made. Finally the plans were worked out and embodied in bills. The General Assembly, however, was unable to agree on which one was best. Both parties demanded action. Several members resigned rather than vote on these bills.[25]

The General Assembly elected in August, 1833, showed the effects of the failure of the previous Assembly to act. Twelve new senators took their seats. It was claimed that only one senator was re-elected. In the House not less than twenty-five new faces ap-

[24] Election reports may be found in the *St. Joseph Beacon*, Dec. 15, 1832; Lawrenceburg *Palladium*, Dec. 8, 1832; Vevay *Messenger*, Dec. 15. These have been compared with the official returns and found correct.

[25] *Indiana Democrat*, Feb. 9, 1833. Calvin Fletcher, then a senator from Marion county, resigned. The *Democrat* approved of his resignation if he could not vote as his constituents desired: "In this land of Republican principles the right of instruction is generally conceded as one of the reserved rights of the people, and that man who openly denies that right will seldom be honored with their confidence." This was sound Jacksonian Democracy.

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peared. The old leaders who had dominated the General Assembly since 1816 disappeared. The pioneer period of Indiana history was ended, so far as the State legislature was concerned.

The congressional election in 1833 again showed the superior organization of the Democratic party. Ratliff Boone, of the First district, was opposed by four Whigs and one Anti-Mason candidate. The latter, Dr. D. G. Mitchell, of Corydon, polled 287 votes out of a total of 7,805 in the district.[26]

The year 1834 brought with it a renewal of the contest between Governor Noble and James G. Read for the governorship. The latter was nominated by a poorly attended convention at Indianapolis. The charge was made that it was attended merely by officeholders. Twenty-three out of the sixty-three counties were not represented at all. The Whigs referred to it as a causus.[27]

By this time the State was deeply interested in internal improvement schemes, had chartered a State Bank, and was looking forward with great ambitions. Governor Noble was the soul of all these policies. He was not a partisan. The Whig *Indiana Journal* called him a Jacksonian Democrat. He appointed Nathan B. Palmer, one of the leaders of the Democrats, to the office of treasurer of State.[28] By skillful political management he had built up a bipartisan organization, the leading members of which were the promoters of the State bank and the internal improvements. This organization controlled State politics for ten or twleve years, until the failure of the internal improvements brought the leaders into disfavor. Mr. Read also claimed to be non-partisan.[29] In this role of non-

[26] *Indiana Palladium*, Aug. 31, 1833.

[27] *Indiana Journal*, Jan. 4 and Jan. 11, 1834.

[28] *Indiana Journal*, Feb. 22, 1834.

[29] *Indiana Journal*, April 19, 1834. See also extract from Salem *Annotator*. The Paoli *Patriot* also made the same claim

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partisanship Noble had all the advantage for Read had been an outspoken and unsparing Jackson man.

Early in the campaign Read and Noble signed a pledge not to do any canvassing. They had opposed each other in a canvass of the State three years before, both had been in public life for many years, and it was thought a waste of time and money to canvass the State.[30] The agreement, however, was largely in favor of the governor, since he was meeting voters from all parts of the State every day. In spite of this promise, Read made a canvass, but the result was evident from the beginning.[31] The national elections everywhere were a severe rebuke to Jackson. The Whig papers are full of bitter attacks on Jackson's veto, specie circular, pet banks, the betrayal of the tariff, and the war on the United States bank.

Read carried sixteen out of the seventy counties voting. These were in the Jacksonian triangle, with Carroll and Parke added. He was defeated in the State by a vote of 27,302 to 36,925.[32] He lost five out of seven congressional districts. The sweeping majority was a ratification of the internal improvement policy by the voters. The spell of General Jackson had spent its force and the voters gave their attention principally to State affairs.

After the election of 1834 it seemed that Indiana

for Read. On the other hand, the *Indiana Democrat*, June 27, charges that all Clay papers were supporting Noble. The Madison *Republican*, July 3, denied this; but it was substantially true.

[30] *Indiana Journal*, April 26, 1834.

[31] "Judge Read started from Jeffersonville, July 9, and has been busily engaged traveling and making speeches ever since. He will have traversed the whole Wabash country as high up as Lafayette by the day of the election. We have learned from most of the counties he has visited that Noble's friends are deserting him like winter leaves and rallying under the banner of Democratic Republicanism with Read." *Indiana Democrat*, quoted by *Journal*, Aug. 9, 1834.

[32] Logansport *Telegraph*, Sept. 6, 1834. The results of the 1831 and 1834 elections are given in parallel columns.

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was safely Whig. The State officers and a large majority of the members of the General Assembly belonged to that party, while the regular Democratic organization was almost broken up. Tipton, Hannegan, Sullivan, Judah, Milroy, Drake, and Dr. Canby had either quit the party or were temporarily opposing it.

The Whigs, however, failed to form any political organization and allowed the fruits of the victory to escape them. The congressional election of 1835 returned seven Democratic congressmen from the seven districts. Three, and perhaps four, of these had supported Noble. In the Sixth district no Whig candidate appeared. There was no political principle at stake in the campaign. It seems there was not even a political organization formed.

## § 59 THE HARRISON CAMPAIGNS

The political campaign that began in Indiana in 1835 and ended in November, 1840, was the most picturesque ever waged in the State. During the five years, 1835-1840, there was no let-up in the struggle.

The campaign began about the middle of the year 1835. Harrison does not now seem to have been even a remote possibility as a presidential candidate at the beginning of the agitation. Col. R. M. Johnston had long been one of the dashing figures in American political life. Soon after the close of the War of 1812 it had been claimed that the mounted Kentuckians, at the battle of the Thames, had stampeded the Indians; a short time later it was said the fiery Colonel Johnston had led the charge; a short time later, in the press accounts, it was the dashing Colonel Johnston who had killed Tecumseh; still later it was the fashion to call him the renowned Colonel Johnston who commanded the Kentuckians at the battle of the Thames. Now at last it had become the glorious General Richard M. Johnston who won the battle of the Thames.

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Johnston was a receptive candidate for the presidency to succeed Jackson, whose political methods he imitated. He had perhaps no thought of waking any resentment in the heart of the old general at North Bend. And perhaps no such thing would have resulted but for an unfortunate expression by citizens of Indianapolis. A committee, composed of Arthur St. Clair, Seton W. Norris, Livingston Dunlap, James Morrison, Henry Brady, and Alex Wylie, was appointed to invite General Harrison to come to their town and celebrate the anniversary of the victory he had helped to win.[33] The note, as printed, appears innocent enough, yet a combination of circumstances made of it the spark that fired the magazine.

Harrison's answer, dated September 27, 1835, filled two columns, and was copied by almost every paper in the northwest. It showed beyond doubt that the old pioneer had all his ancient power. Like his camps among the Indians, his letter had no point left unguarded where an attack could be made. The *Indiana Democrat*, edited at the time by Alexander F. Morrison, had mentioned the meeting at Indianapolis as preliminary to the celebration of the victory of the Thames, achieved by General Harrison and Colonel Johnston. A Kentucky poem had recently gone the rounds of the press, which celebrated the battle and likened Johnston to Telamonian Ajax as he had ranged the field of battle. Governor Shelby was humbly mentioned as Agamemnon, but nothing was said of Harrison. A great meeting was called by the Tammany Society of New York that year to celebrate the victory won by Colonel Johnston on the Thames. In Boston they called attention to the victory of the Thames won by Colonels Johnston and Harrison. Why, asked the old general, should his own name be linked with that of Johnston in connection with the

[33] Madison *Republican and Banner*, Oct. 15, 1835.

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action on the Thames? He, himself, was in supreme and unquestioned command. Not a movement was made but by his order. Why should this colonel of militia be his associate? No one denied the gallantry of any part of the army, none certainly would detract from the merits of Colonel Johnston. But no one ever spoke of the victory won by General Jackson and some colonel at New Orleans, although he had a number of able officers of that grade. No one ever speaks of the victory of General Miller and the gallant Colonel Brown at Niagara. Likewise, there were no divided honors at the battle of the Thames. These glories should go to the army, and it was under his command alone. The praise should go to the whole army, and not to some single individual. If any one, more than another, shared in the councils of the commander, it was the greatest of Kentucky's soldiers, Governor Shelby, the hero of King's Mountain. Finally, in proof of his position, Harrison called attention to the message of Monroe, to the resolutions of Congress, to the word of Governor Shelby, to the report of Commodore Perry, to that of General Wood, and finally to the history of the war written by Robert B. McAfee, who served under Johnston.

The partisans and fellow-soldiers of the old hero heard his call like a command. The reference to Governor Shelby fired the Kentucky Whigs. During the fall General Harrison made trips down the Ohio, being hailed everywhere as an old friend. Everybody except a few of the Jacksonian precinct politicians joined in the barbecues, parades, banquets, and celebrations in his honor. At Madison, Louisville, New Albany, and Vincennes he was received by the undivided populace. A description of these military spectacles, the toasts, and set orations, filled the press of the Ohio river towns. The editors were always made the secretaries of the meetings.

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On November 7-15, 1835, a monster meeting was held on the Tippecanoe battlefield. Isaac Naylor, the veteran editor of the Crawfordsville *Record*, and a soldier at Tippecanoe, was the speaker of the day. Dr. Elizur Deming pronounced an eulogy on Harrison. All then repaired to the feast. The barbecue was served on three tables each one hundred yards long. These were filled twice by the multitude.

Harrison was formally nominated for the presidency by this meeting. But by this time the Harrison boom was in full career elsewhere. Editor John Douglas, of the *Indiana Journal*, November 13, 1835, said there was a steady manifestation of interest in the coming candidacy of General Harrison.[34] It was not a preconcerted series of meetings, and there was no articulation to the campaign, but Harrison banquets were held in every county. Papers were filled with discussions of his battles. Incidents and anecdotes were met with in all papers. County meetings solemnly resolved that he was a fit candidate for the presidency.

These early meetings were apparently non-political. Nothing offensively partisan was ever brought up. Neither the name Whig, Democrat, Jackson men, Clay men, nor any of the other numerous epithets, by which one or the other political party was known, was used by the speakers.

One of the first of these meetings in Indiana was called by John Vawter, a patriarch of the Baptist church. The meeting was held at old Vernon. Here is perhaps a proper place to note a phase of this campaign not generally recognized. This meeting would probably have passed resolutions condemning Clay with as much unanimity, if not with as much enthusi-

[34] A meeting at Brookville, Feb. 7, 1835, endorsed the nomination of Harrison previously made in Ohio and Pennsylvania. Enos McCarty, a Democrat, presided. *Indiana American*, quoted in *Indiana Journal*, Feb. 27, 1835.

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asm, as it showed when endorsing Harrison. Clay never received the support of the church people of the State, if the newspapers can be taken as evidence. The Quakers, Baptists, Presbyterians, and Methodists, especially the preachers, continually found fault with his drunkenness, his gambling, his profanity, to mention only a few of the immoralities he was charged with. The editors tried in the earlier years to explain or condone these faults as the unavoidable characteristics of all really great men, but in later years, especially since his defeat in 1832, they had ceased, and now gave full publicity to all rumors of that kind.

In every question that arose during that quarter of a century Clay, they charged, threw the weight of his influence against good morals. The opposite was true of Harrison, and the humble church folks of the northwest turned with hope from such characters as Clay, Van Buren, Webster, and Buchanan.

The meeting at Vernon was followed by a similar one at Lexington, presided over by Col. Abraham Kimberlin, and addressed by the venerable Col. James Goodhue, a crippled soldier, whom Jackson had dismissed from the postoffice, over the protest of the whole neighborhood, after almost a lifetime of honest service.

Every paper of the period contains some reference to a county meeting, and the Whig papers mixed up the accounts with criticism of the high-handed, straight-arm methods of the administration men.

The Van Buren papers tried in vain for a hearing. The people would have no patience with them. In fact, many of them that were free of federal patronage boldly took their places in the Harrison ranks and received the name, "dugout" Whigs. The faithful discipline under which Jackson had compelled his editors to defend his administration now reacted against them. People discounted everything the editor

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said as if it were handed down. John Douglas, editor of the *Indiana Journal*, had referred to Jackson editors a few years ago as wearing the "chain and collar" of their master. The reference was catchy and during this and the succeeding campaign they were usually referred to as the "collar" press.

The Harrison Convention met at Indianapolis December 14, 1835. It proved to be a reunion of the heroes of Tippecanoe. Many of them had never taken part in politics, but when they heard the call of their old commander they rallied for his support. It seemed to the common people an insult to thus challenge these old soldiers of an earlier generation.[35]

The aged preacher, John Vawter of Vernon, called the Indianapolis convention to order. Marston G. Clark, whose name recalled the memory of his kinsman, George Rogers Clark, and who himself had been a distinguished pioneer of the State, and had served as aid in the Tippecanoe campaign, choosing the site for the night camp which became the battle ground and for the selection of which Harrison had been so unjustly censured, was called to preside. He was escorted to the chair by Judge William Polke, who had served as chief of scouts for General Harrison and had been interpreter in the last interview with the Prophet the night before the battle, and Jordan Vigus, likewise a hero of Tippecanoe. As this trio of heroes marched up the aisle, gray and grizzled with hardships, but firm and erect as when they marched up the Wabash twenty-four years before, the Van Buren politicians present saw they had unintentionally awakened a dormant force in Indiana that was beyond their control. As vice presidents of the convention there sat beside Clark, Gen. John G. Clendennin of Orange county and Gen. Samuel Carr of Clark county, two of the strongest supporters of Jackson in the State.

[35] Vevay *Weekly Messenger*, Dec. 26, 1835.

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The speech of Clark, recounting the achievements of Harrison by one who was, as all knew, giving no idle praise, carried the convention away. Speeches by Polke, Naylor, and others kept up enthusiasm. A misguided politician, who mentioned Johnson as a possible running mate for Harrison, apologized to the convention for the insult. Addresses filled the first pages of the newspapers and swept the country like a prairie fire.

The election of 1836 had all the moral effects of a defeat for both parties in Indiana, at least so far as the newspapers were concerned. The Democrats were completely defeated, but, to the disgust of the Whig editors, remained in possession of the battlefield.

At the suggestion of the Richmond *Palladium* the Whig editors formed an editorial association and made systematic war on the enemy. The *Palladium* carried, during the whole period from 1836 to 1840 as a motto, the words of Senator N. P. Tallmadge of New York—"Uncompromising Hostility to the Reelection of Martin Van Buren." The *Indiana Journal* and other newspapers likewise kept their battle flags floating, or, as they expressed it, had nailed their colors to the masts. In December, 1839, the National Whig Convention of Harrisburg placed Harrison again in the field as a presidential candidate. This was done largely in deference to the voice of the northwest as expressed in previous State conventions.

A great campaign must have live contributory issues. The Whig convention at Harrisburg had wisely refrained from adopting any platform, thus leaving its campaigners and its press a wide latitude for the contest. In Indiana, especially, it was almost impossible to say what was the paramount issue. There was a State governor and a legislature to elect, as well as a President of the nation.

The liquor question had been for years causing a

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great deal of thinking, especially among the members of the Evangelical churches. Numerous societies, called the Washingtonians, were organized throughout the State. The agitation was nation-wide and then, as now, proved a boomerang to every party that trifled with it. During the winter of 1838 and 1839 thieves and gamblers rendezvoused in the taverns of Indianapolis and for the first time terrorized the capital. A grand jury spent some time making the investigation.[86]

There was no lack of orators then to show the direct and sinister connection between taverns and politics. Other orators stood firmly for personal freedom and the rights of the individual. Between these extremes the great body of Hoosiers, in earnest humor, discussed, in school and out, the traditional questions of politics, the tariff, the bank, the boundaries, slavery, internal improvements, public lands, and, above all, the "glorious achievements" or the "blundering stupidity" of General Harrison.

As observed before General Harrison was an ideal newspaper candidate. His life and exploits lent themselves to picturesque descriptions. Especially was this true here in Indiana, where much of his life had been spent. Scarcely a neighborhood but contained some of his comrades in arms. These were sought out and by the liberal aid of the editor they prepared endless anecdotes and incidents of former campaigns. The

[86] In the *Indiana Journal* of May 18, 1839, was printed their report on "Groceries and Grog Shops." "We have come to the unanimous conclusion that houses kept expressly for the sale of spirituous liquors are highly injurious to the peace, good order and general welfare of this or any other community. We are satisfied that laws licensing such are unwise and impolitic and ought to be repealed. They are abettors of crime and immorality. They are nuisances. They rob the poor and break up families. We appeal to the General Assembly to banish one of the greatest evils that mars the peace and prosperity and happiness of our country."

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veterans of Tippecanoe were given the place of honor on the platform where powerful orators referred to their snowy locks and eminent services. They were feasted and toasted at monster barbecues until it seemed the State was trying to atone for having so long neglected its own heroes.

The State campaign was as stoutly contested as the national. The election of 1839 was over before the panic struck the State and the General Assembly stood as undecided before the situation as did the people. But, taking up the murmur of the people, it plunged into the chaos of State affairs. The House called for no less than seventeen formal reports on internal improvements, and the Senate eighteen. No one knew what the reports meant. The Assembly through a long session of eighty-five days was a hotbed of petty politics. The *Indiana Journal* thus announced its adjournment: "This body, after a stormy, protracted, and useless session of eighty-five days, has at last adjourned, and may heaven for all time save us from such another." The reports collected by the General Assembly furnished an exhaustless supply of materials for the stump speakers and newspapers.

Before the year 1840 the politicians of the two parties were fencing for position. The Democrats in the General Assembly called for a caucus, and the Whigs, on December 14, 1839, met at the State House with Samuel Judah, president, and Charles Test, secretary, and solemnly protested against the undemocratic performance. Their "weighty" resolutions against caucuses went the rounds of the Whig press and were praised even by the moderate or "dugout" Democrats.

The Whigs nominated Judge Samuel Bigger of Rush county, a graduate of Athens (Ohio) University, a distinguished legislator and judge, and an eloquent stump speaker. The Democrats nominated Gen.

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Tilghman Howard, a native of South Carolina, and a resident of Parke county.[37]

January 15, a county convention met at Bedford. John Edwards was chairman, R. W. Thompson reported the resolutions and held the crowd spellbound in a two-hour speech. George G. Dunn followed in an oration of equal length. One hundred and sixty-six delegates were appointed to attend the State convention.

Other counties sent delegations of similar size. The delegates began to arrive in Indianapolis January 14. Two days before the time for opening the convention the legislative hall was crowded with "Democratic Whigs." Speakers followed each other through long day and night sessions. Citizens generously opened their homes to the delegates, after the taverns were full. By January 16 the capital was flooded with visitors. Samuel Judah of Knox was chairman. John Beard of Montgomery, James Blair of Vermillion, James T. Moffat of Vigo, Samuel Herriott of Johnson, Thomas D. Baird of St. Joseph, William H. Bennett of Union, Morris Lancaster of Wayne, Philip Sweetser of Marion, Joseph Robinson of Ripley, and John Zenor of Harrison, all members of the General Assembly,

[37] Among the Whig speakers of State fame were Joseph G. Marshall, O. H. Smith, George Dunn, Albert White, William Herod, Caleb Smith, R. W. Thompson, Henry S. Lane, Othniel Clark, Newton Claypool, Samuel C. Sample, Thomas J. Evans, Hugh O'Neill, Schuyler Colfax, John Vawter, Milton Stapp, John Dumont, Stephen C. Stephens, Jeremiah Sullivan, Joseph C. Eggleston, William G. Ewing, James H. Cravens, Jonathan McCarty, John Ewing, George H. Dunn, Samuel Judah, Randall Crawford, Thomas H. Blake, Elisha Huntington, Judge De Bruler, Charles Dewey and Conrad Baker. Among the Democrats the best campaigners were General Howard, Edward Hannegan, James Whitcomb, Marinus Willet, Findley Bigger, Amos Lane, Thomas Smith, Robert Dale Owen, John Law, Joseph A. Wright, John G. Davis, Paris C. Dunning, Delaney Eckels, Alvin P. Hovey, Andrew Kennedy, John Spencer, Elisha Long, Nathaniel West, N. B. Palmer, General Drake, John Carr, William W. Wick, James Brown Ray, Joseph Holman and Ross Smiley.

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were appointed an executive committee to conduct the campaign.

Every county was instructed to hold a convention and form county and township organizations and provide for county and township celebrations. Marion county met February 18, Harrison county on the 22d, and so on. There were conventions of young men, as in Fountain county February 22, Marion county March 5, Marshall county March 22, Miami county March 3; Huntington, Wells, Adams, Jay and Blackford all sent reports in together.

The "first voters" met at the Tippecanoe Battleground May 29. Harrison Democrats celebrated in Shelby county February 22, and were addressed by James Farrington.

A large delegation tramped off to Ohio to attend a celebration at Fort Meigs, May 9. By this time Harrison marching clubs were organized in many counties. A rally was called for Decatur county March 22. Almost every voter in the county was present. By eleven o'clock in the morning, Greensburg was full of people. Word came that township delegations were approaching. A procession headed by the Greensburg band formed and moved down the Michigan road to meet the Adams township delegation. At the head of the latter was a monster canoe drawn by six gray horses. In the canoe were a band and a veteran of '76, frosty headed, but carrying a large banner. The other township delegations were likewise intercepted, after which the long column paraded the town to the courthouse square, where the inevitable speaking began. Descriptions of such meetings appeared in all papers and in almost every issue. At Connersville the lowest estimate of the crowd was ten thousand. The canoe was fifty feet long. A log cabin 8x12 was a part of the parade; another float contained a threshing floor with four men using flails; the Hagerstown

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men attended in their canoe; Rush county sent 1,000 men with a buckeye canoe; Union county sent a troop of dragoons armed and in uniform. There was no end to the barbecues, and celebrations, and mass meetings, no limit to the pranks of the zealous Whigs.

The culmination came in the Battleground Convention of May 29. Indianapolis was the rallying ground for the southeastern part of the State. Delegates and delegations began to arrive May 25. It rained during the three preceding days, but no one complained. The women of the capital had prepared two beautiful banners. After the presentation ceremonies, the column began to get under way, marching in squadrons of 200 each. Those on horseback took the lead, followed by carriages and wagons with a long rearguard on foot. Many of the latter trudged barefoot through the black mud of the Michigan road, carrying their shoes in their hands. The column was said to be twenty-five miles long. Corncribs, haystacks, parlors, kitchens, barns, bedrooms, all were thrown open along the way to this army of pilgrims. Everybody was welcome everywhere. Every cabin had its banner up and barrel out. The White Horse Trained Band from Fayette county attracted most attention. Single delegations of 1,000 men came marching. The Battlegrounds were white with tents. There were men from nearly every State in the Union.

In one place was a group of patriot survivors of the Revolution, in another the heroes of Fort Meigs, and in still another those of Tippecanoe, the Levites who were to act as high priests at this shrine. The veteran preacher, John Vawter, called the "nations" to order and turned the meeting over to Gen. John McCarty. Judge William Polke, Thomas Hinds, of Illinois, and Isaac Naylor, survivors all of the battle, made brief addresses, after which Judge Bigger, the orator of the day, spoke two hours. James Brooks,

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editor of the New York *Express*, followed with an oration. After this came the crowning act of the meeting. The surviving soldiers gathered together at the Battleground House, formed in order, whereupon Judge Polke produced the old banner under which Captain Spier Spencer's Yellow Jackets had fought, under which those two heroes of the militia, Spencer and Warrick, had died, and which Colonel Tipton had carried, and under it again these old men marched to the stand, where Mr. Polke presented it to Editor Brooks to be kept by him till the inauguration of Harrison, to whom it was then to be presented and by whom it was to be placed among the archives of the nation.

It was a perfect delirium of sentiment. The Democrats stood off and wondered if their good neighbors would ever return to their senses. The State enjoyed a carnival of oratory. Joint discussions were held, in one of which it is said two speakers talked two days, occupying two hours each, forenoon and afternoon. A part of the itinerary of the candidate for governor, Judge Bigger, will illustrate the strenuous life of the spellbinders during the campaign. On the trip he traveled horseback 700 miles, made thirty-three speeches, each two to four hours long.[38]

The campaign closed with a monster parade in Indianapolis the night before the election. Mr. Whitcomb, later governor, was to speak on the North Side, and Senator O. H. Smith on the South Side. After

[38] On one of his trips he left Greensburg on horseback and, after speaking there April 6, April 7 he spoke at Versailles, April 8 at Vevay, April 9 at Madison, April 10 at Charlestown, April 11 at New Albany, April 13 at Corydon, April 15 at Leavenworth, April 16 at Fredonia, April 17 at Rome, April 18 at Troy, April 20 at Rockport, April 21 at Boonville, April 22 at Evansville, April 24 at Mt. Vernon, April 25 at Cynthiana, April 27 at Princeton, April 28 at Petersburg, April 29 at Vincennes, May 1 at Merom, May 2 at Caledonia, May 4 at Terre Haute, May 6 at Bowling Green, May 7 at Greencastle, May 8 at Danville, May 9 at Indianapolis.

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waiting till midnight for the noise to subside the two speakers left their stands. After the State election the Democrats gave up the contest and sanity gradually returned to the people. In the State election Samuel Bigger was elected by over 9,000 plurality. The State senate stood 31 to 15 in favor of the Whigs. The house stood 78 to 22, showing thus more decisively the results of the campaign. Harrison carried the State in the following November by 13,698 majority.

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# CHAPTER XIV

## REMOVAL OF THE INDIANS FROM THE STATE

### § 60 THE TREATY GROUNDS

THE little garrison under Maj. Josiah H. Vose at Fort Wayne was withdrawn, April 19, 1819.[1] They were the last regular soldiers on frontier duty in the State. The westward movement of settlers had carried the frontier beyond Indiana.

Fort Wayne was then a busy center of the fur trade. Often 1,000 men were collected there on Indian pay day. At such times horse-racing, gambling, drunkenness and debauchery were the order until the traders had all the Indians' annuity money in their possession.[2]

In 1823 John Tipton became the agent of the

[1] Vincennes *Centinel*, July 19, 1819.

[2] Robert S. Robertson, *Valley of the Upper Maumee*, I, 184. The following paragraph from Rev. J. B. Finley, *Life Among the Indians*, 518, describes these scenes. The missionary was an eyewitness. "This was an awful scene for a sober man to look upon. Here were encamped between two and three hundred Indians, and one-third if not one-half drunk; men and women, raving maniacs, singing, dancing, fighting, stabbing, and tomahawking one another—and there were the rumsellers watering their whisky until it was not strong grog, and selling it for four dollars a gallon—their hired men gathering up all the skins and furs, and their silver trinkets, ear-bobs, arm-bands, half-moons, silver crosses, and brooches—giving a gill of grog for a dozen of silver brooches—and their guns, tomahawks and blankets, till they were literally stripped naked, and three or four were killed or wounded. The reader may set what estimate he pleases, or call him by what name; yet if there was ever a greater robber, or a meaner thief, or a dirtier murderer than these rumsellers, he is yet to be seen." See also Isaac McCoy, *History of the Baptist Indian Mission*, 84 *seq.*

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Miamis and Pottawattomies, with headquarters at Fort Wayne. As the settlements around the place increased the Indians fell back on the upper Wabash and Eel rivers. Partly that he might be nearer the Indians and partly due to interest in land speculation, Mr. Tipton secured the removal of the Indian agency, in the spring of 1828, to the mouth of Eel river, the present site of Logansport.

The Indian trade at that time was one of the most lucrative occupations in the State. The agent bought large numbers of cattle, hogs, and horses for the Indians. Droves of stock were gathered up and driven through the forests to Fort Wayne or Logansport.

By the law of 1819 the Indians of Indiana were granted annuities as follows: Weas, $3,000; Pottawattomies, $2,500; Delawares, $4,000; Miamis, $15,000; besides which there were specific gifts which often amounted to as much as the annuities. Thus at this time, 1819, the Delawares, then preparing to go west, were given $13,000.[3]

The annual assembly at the Treaty Grounds was the greatest commercial event of northern Indiana from 1820 to 1840. It corresponded with the New Orleans trade in the southern part of the State. At the treaties of October 20, 26 and 27, 1832, there were distributed goods to the value of $365,729.87.[4] There were not less than fifty traders on the grounds. The bills of W. G. and G. W. Ewing footed up about $30,000. Joseph Holman, a member of the first constitutional convention; Jonathan Jennings, our first governor;

[3] *United States Statutes at Large* 1819, ch. LXXXVII.

[4] *Senate Document, Indian Removals*, V, 1834-5. *First Sess. 23d Cong.* The Treaty Grounds were on the Tippecanoe river near its mouth. The assemblies were not all held at the same place. Some were held at the Big Springs where Wabash is now, some on the site of Huntington, some at the mouth of the Mississinewa and many down on the old Tippecanoe Battleground.

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John W. Davis of Carlisle, long a member of Congress and at one time its speaker; Allen Hamilton, president of the Fort Wayne branch of the State bank; Samuel Hanna, founder of Fort Wayne; Nicholas McCarty, a merchant of Indianapolis and later a Whig candidate for governor; Alexis Coquillard, founder of South Bend; Jordan Vigus, one of the founders of Logansport, were a few of the better known traders and agents. It is hardly necessary to say these were the leading men of the northern part of the State. Many of them became wealthy in this business. It was said that the Ewing brothers became millionaires.[5]

At this time it is hardly possible to determine the profit made by the traders. Blankets sold at $8 and $10 each; red flannel at 57 cents; bleached shirting at 97¼ cents; tincups at 12½ cents; red cotton handkerchiefs at 40 cents; calico at 25 cents; silk vests at $4; coffee boilers at 75 cents; thread at $2 per pound; hats at $5; knives at 40 cents; powder at 40 cents. The quality of the goods cannot now be ascertained. The traders sold on credit to the Indians and then presented their bills to the Indian agents, who paid the annuities. This plan was tolerably satisfactory until the greedy traders presented bills which amounted to more than all the annuities. Then there was trouble among the traders.

At the October payment, 1836, the Ewing brothers and Capt. G. N. Fitch presented claims for $34,000. As the payment of this would have taken all the money the other traders objected. The agent, Abel Pepper of Rising Sun, was unable to settle this dispute. A committee then received all the claims, amounting to over $100,000, and prorated the annuity money. This wrong to the Indians was so plain that a government agent, J. W. Edmunds, was sent to in-

[5] *Senate Documents. Indian Removals*, V, 371 *seq.* 1834-5.

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vestigate the claims. His report showed beyond a doubt that the Indians had been cheated out of practically all their money.[6]

## § 61 Black Hawk's War

As long as the first pioneers of our State lived they feared and hated the Indians. It was difficult to tell whether they feared or hated them most. During the decade from 1830 to 1840 they gave a good exhibition of each. From their own viewpoint they were amply justified in both. As an example of the terror which an Indian uprising caused on the border there is nothing better in Indiana history than Black Hawk's War.

Black Hawk was a popular leader of a band of Sauk Indians who lived on Rock river, in northwestern Illinois. His village was near the mouth of the river, down where it joined the Mississippi. The old warriors in this band were kindred spirits who had served under Tecumseh in the War of 1812. They were known along the frontier as the "British Band," and their sympathy for the British was notorious. The Hawk had himself "touched the quill," as the Indians called signing a treaty, in 1804 and again in 1816, when his tribe had ceded its land to the government.

But when the government surveyors and the settlers came in 1831 to occupy the land the grizzly old warrior's heart failed him. He had watched his women and children cultivate the village fields for half a century, and when, in the spring of 1831, he returned from a winter's hunt in Iowa to find the squatters had pre-empted his fields and actually plowed up the graves of his ancestors, he could stand it no longer. He warned the intruders and then with his warriors crossed northern Indiana and southern Michigan to

[6] Logansport *Telegraph*, October 15, 1836, and succeeding issues.

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see his British friend, the commander of Malden. The British general advised him wrongly and the war followed.

All the border Indians were restless during that year. Early in the summer of 1831 a Miami hunting party killed a Pottawattomie war chief, as a result of which the Pottawattomies threatened war. They first demanded an indemnity of $50,000 as blood money. If this was not forthcoming the Miamis were assured that the Pottawattomies would be on them in the spring "before the leaves were as big as squirrels' ears." Gen. William Marshall was sent as agent to settle this difficulty; and in a grand council on the St. Joseph succeeded in doing so.

About this time a proclamation of Gov. John Reynolds of Illinois reached the Indiana border. The frontier settlements at this time were between the Wabash and the Illinois State line, west and northwest of Lafayette, with advance posts over the line in Illinois twenty to forty miles. When Black Hawk returned from his winter's hunt he warned the squatters to leave. The governor of Illinois took this warning for a declaration of war, and at once called out the Illinois State militia and notified the people that the Sauk and Pottawattomies were on the warpath. The governor meant the Prairie Pottawattomies of Illinois, but the Indiana settlers thought he meant the Indiana Pottawattomies, many of whom lived among the settlers west of the Wabash. A courier carried the report to the Indian agent, Marshall, at Logansport, who at once dispatched his runners in all directions to gather the scattered villages of Pottawattomies into Logansport till the war was over. He did this to pacify the settlers and to save the Indians from the militia.

At midnight Sunday, May 21, 1832, Captain Newell of the Warren county militia, was called out of

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bed and told that the Indians were at Iroquois, near the State line, and approaching fast. He was told that all the settlements west of Big Pine creek, in Warren county, had given way and Big Pine would break in the morning, if no aid appeared.

By eight o'clock Captain Newell was at the head of fifty mounted men, and by eleven o'clock had reached Parish's Grove, eighteen miles on his way. Here he met the throng of refugees from the Sugar Creek settlements. The rabble of refugees completely blocked the way. The settlers of the upper Pine creek had abandoned their clearings. After Captain Newell had calmed the terror-stricken pioneers, he selected twenty-five of his best-mounted men and pressed forward that same evening twenty miles farther, to Iroquois river, in Illinois. He passed scores of settlers fleeing for their lives. From these he heard that the Hickory Creek settlements had all been abandoned and the people were on their way to the Wabash. Several families were reported murdered on Fox river. The Fox River settlement was seventy-five miles farther on, but Captain Newell decided to go ahead and try to reach it by morning. A few miles further he met more refugees from Hickory creek, who assured him that not a person was left in the outlying settlement, and that it would be useless to go on. The captain accordingly returned and began to quiet the people.

As soon as Captain Newell received word of the outbreak, on Sunday night, he sent a mounted scout posthaste to Lafayette for aid. Another report reached Lafayette, also, about the same time as the courier, that the Illinois militia, 275 in number, had been routed on Hickory creek, with the loss of over twenty-five men killed; that 200 militiamen were needed; that the settlers had all fled, some to Fort Chicago and others to the Wabash; that the whole

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frontier was abandoned, and that houses were being burned and families murdered.

A small party of militia scouts immediately set out from Lafayette for the scene of the depredation, and Gen. Jacob Walker called out the militia to rendezvous at Sugar Creek Grove in the western part of Benton county.

Meantime the scouts who set out from Lafayette at the first alarm returned and, on June 1, a committee of the best known men of the town sent out a statement to the effect that they had gone as far as Hickory creek, 100 miles northwest of Lafayette, and had found no traces of Indian warfare. No damage had been done on Hickory creek. They reported, however, that Black Hawk, at the head of 500 warriors, was in arms and on the warpath, but was making his way toward the Mississippi.

The militia camp at Sugar Creek Grove was soon broken up. The returning scouts made it certain that Black Hawk had his hands full and that there was no danger from that quarter. Word was received in a few days from the deputy agent, M. G. Grover, at Logansport, that the Miamis, Pottawattomies, Chippewas, and Ottawas on the St. Joseph were all quiet. When this word came, General Walker disbanded his militia.

The alarm was not confined to Warren and Benton counties. The old Sac, or "Sauk," trail from Illinois to Malden led through LaPorte county. The early settlers of Door Village were accustomed to seeing Sac, or "Sauk," warriors pass and repass on this trail. At times the Indians stole horses and committed other crimes. The settlers along the trail feared them.

In May the Indian agent at Chicago sent a courier to warn the pioneers of the Door Village (LaPorte) that the Sacs were on the warpath. It is said that refugees from Door Village fled as far as Cincinnati.

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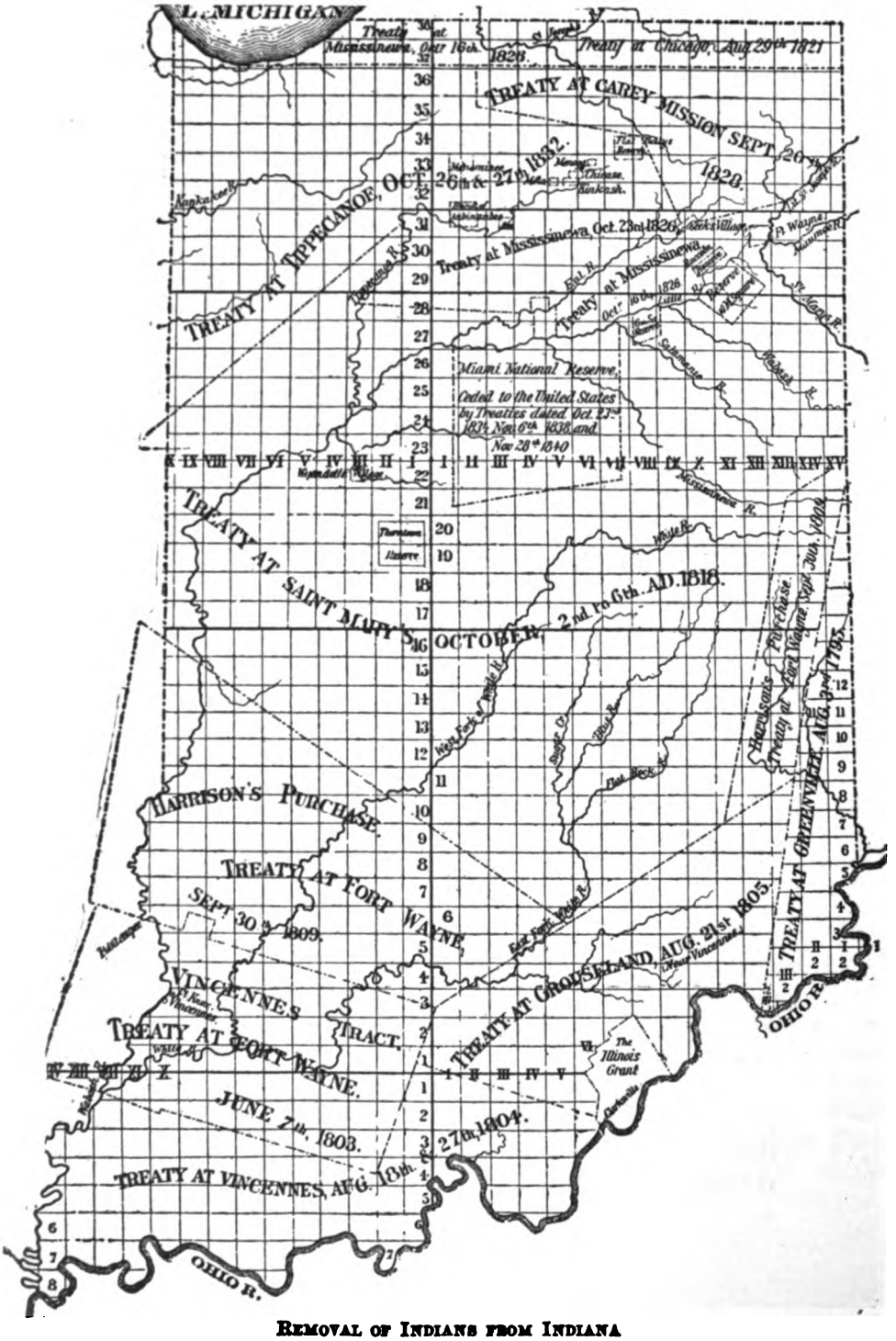


**Removal of Indians from Indiana**
*Geological Report*, 1882

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The more resolute gathered in the little village and set to work to build a stout stockade. As soon as this was completed they sent out spies to learn what they could of the Indian advance. In the meantime a good blockhouse was constructed.[7] After a few weeks the excitement wore off. There was ample reason for fear along the frontier of the State. Had Black Hawk chosen to lead his warriors along the Sac trail to his old British friends and allies at Malden, there were not enough troops or settlers along the way to have prevented him.

The refugees from the Portage Prairie, Terre Coupee, and other settlements west of South Bend brought the news of the Indian war to that town. Most of the refugees were so alarmed they would not stop in South Bend, but hurried on to the east. As soon as the citizens were aroused they gathered together and, like the friends to the west, at the Door Village and on Portage Prairie, decided that safety lay in a blockhouse. Accordingly they built one and confidently awaited the coming of Black Hawk's warriors.[8]

As soon as General Walker received the first report of an Indian uprising from Captain Newell he sent a messenger to Indianapolis. The messenger reached the governor, May 29, 1832, and requested him to call out the militia for the Black Hawk War. The militia of Marion, Johnson, and Hendricks counties were accordingly called to meet at Indianapolis. These troops, the pick of the three counties, 150 in number, under Col. A. W. Russell, of the Forty-eighth regiment, reached Lafayette, June 1-3. From Lafayette they crossed over into Illinois, marched to Chicago, back around the south end of Lake Michigan,

[7] Gen. Jasper Packard, *History of LaPorte County*, 53.

[8] Judge Timothy E. Howard, *History of St. Joseph County*, (Index).

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then by way of the St. Joseph country to Indianapolis, without seeing any hostile Indians. When they arrived at home they were banqueted as heroes at Washington Hall and the Mansion House hotels. They received the name "The Bloody 300" as a result of their campaign.

At the same time when Governor Noah Noble called out the Marion, Johnson, and Hendricks county militia, he ordered a company of mounted volunteers from Putnam county to patrol the State line and watch for straggling bands of Indians that might attempt inroads on the settlements. General Orr, accordingly, enrolled eighty-two men, armed with rifles, tomahawks and butcher-knives. The company established headquarters at Attica and stationed guards along the State line. Patrols passed from one station to another every day and also reported daily to Attica. This was continued until August 10.

As soon as Senator John Tipton, who then represented Indiana in the United States Senate, heard that Black Hawk was on the warpath, he proposed to call out 600 rangers to patrol the frontier till the war was ended. Congress quickly passed the measure. Two of the companies were to be furnished by Indiana. One was raised by Major B. V. Beckes of Vincennes, the other by Col. Lemuel Ford, of Charlestown. Colonel Ford's rangers reached Indianapolis, July 28, 1832. At this place they were joined by a party from Rush county under Lieutenant Bissell. All were mounted and well drilled. Nearly all the people of the town turned out to see them march away next morning over the Michigan road toward Logansport and Chicago, where they were to report to General Scott. They were enrolled for a year or less, furnished their own horses and weapons, and received $1.00 per day.

Captain Beckes also hastened to the frontier with

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his company, but Black Hawk's band was annihilated at Bad Axe, August 2, and all the troops were soon discharged. One thousand Sauk Indians had entered Illinois in April, but by the 3d of August not more than 150 were left alive. None had come nearer to Indiana than seventy-five miles. The scare had come from three sources. First, the Sauks had defeated a large army of militia—2,500—under Stillman, on Rock river, and the agent at Chicago had sent the news to the settlements, with the added information that the warriors would devastate the settlements. Second, the pioneers knew the Pottawattomies were closely related to Sauks. Third, a large body of Sauk warriors had crossed northern Indiana just at the beginning of the war.[9]

## § 62 The Removal of the Miamis and Pottawattomies

THE excitement caused by the Black Hawk War was the doom of the Indian population in Indiana. Although these Indians were perfectly quiet and had nothing to do with causing the scare, the settlers seemed unable to accustom themselves to their presence in the neighborhood.

As early as 1819 Congress had discussed plans for civilizing the Indians.[10] A law of that year gave the President power to use $10,000 to pay the tuition of

[9] Judge Thomas S. Stansfield, in *History of St. Joseph County*, 449. Timothy Howard, *St. Joseph County*, I. 298. An excellent account of this whole "War" is given by Sanford C. Cox, *Old Settlers*, 86-98. For a complete contemporary history see Wakefield's *History of the Black Hawk War*. The mounted ranger service was authorized by Act of June 15, 1832. This authorized the president to enroll six companies of 100 men each. *Statutes at Large*, 1832, ch. CXXXI. All the details are given in the *Indiana Democrat* and the *Indiana Journal* under the dates corresponding to the above. The above account is based largely upon the *Journal's* reports which contain the official documents.

[10] *United States Statutes at Large*, 1819, ch. LXXXV.

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Indian children in mission schools. Several mission schools had been established in the State and were said to have done good work.[11] However, there was no well organized support back of the law and nothing on a considerable scale was accomplished.

In 1822 the system of government traders was abolished and a horde of irresponsible, depraved traders were turned into the Indian country.[12] These petty traders carried whisky to the Indian villages and traded it for furs. They were, in fact, poorly disguised robbers.

Various missionaries and other friends of the Indians soon began to plead for help. Most of them agreed that it would be better to get the Indians beyond the frontier. It was a policy of the Jacksonian Democrats to get them out of the way of the white settlers. The law of May 28, 1830, permitted any Indian tribe that cared to, to trade its land along the border for lands beyond the Mississippi.[13] The law of July 9, 1832, which provided for a complete reorganization of the Indian service, also appropriated $20,000 to hold councils among the Indiana Indians in order to induce them to migrate beyond the Mississippi.[14]

During the summer of 1833, and later, agents were busy along the upper Wabash and on Eel river gathering up parties of Indians and transporting them to

[11] Isaac McCoy, *History of the Baptist Indian Missions;* J. B. Finley, *Life Among the Indians;* Jacob Platt Dunn, *True Indian Stories.*

[12] *American State Papers, Indian Affairs,* II, 326.

[13] President Monroe also had recommended this policy; see *American State Papers, Indian Affairs,* II, 541, *seq.* Many Indians preferred to go; see *Indiana Democrat,* October 9, 1830. The Kickapoos had been transferred by treaty in 1820; see *American State Papers, Indian Affairs,* II, 223. The Delawares went beyond the Mississippi in 1820; see Vincennes *Centinel,* November 4, 1820.

[14] *United States Statutes at Large,* 1832, ch. CLXXIV; CLXXV; also for 1834, ch. CLXII.

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the West. A favorite plan was to give horses to a number of chiefs and pay their way out to the new country on a tour of inspection. If necessary, these were then bribed to give a glowing report of the country they had seen. The Indians were by that means persuaded to emigrate.[15]

The best illustration of the hatred which the Indiana settlers bore toward the Indians is their treatment of the Pottawattomies, whom they forcibly expelled from the State in the summer of 1838. The Pottawattomies originally hunted over the region south of Lake Michigan, north of the Wabash, and west of the St. Joseph and St. Mary's rivers.

They were usually hostile to the Americans when war was on. They led in the Indian massacre at Fort Dearborn, and in the attacks on Fort Wayne and Fort Harrison. Most of the warriors under the Prophet at Tippecanoe, as well as those who perpetrated the Pigeon Roost murders and harassed the White river border from Vallonia to the Wabash above Vincennes during the following years, were thought to be Pottawattomies. On the other hand, they had given the settlers the land for the Michigan road—a body of land equal to a strip a mile wide from the Ohio to the lake.

Few settlers penetrated their lake-region hunting grounds before 1830. Beginning as early as 1817, in a treaty at Fort Meigs, the government adopted the unfortunate policy of making special reservations for Indian chiefs who refused to join the tribe in selling land. As a result of this policy several bands of Pottawattomies had special reservations in Marshall and adjoining counties. The treaty of 1832 took from the

[15] This work extended over several years. The cost astonished even the liberal Congress of 1833. The Senate called for an investigation. The result of this was *Senate Document* 512, published in five volumes in 1834, entitled *Indian Removals*. Abel Pepper was the most active agent in this state.

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tribes its tribal lands, leaving Chief Menominee a reservation around Twin lakes and extending up to the present city of Plymouth. Down around Maxinkuckee, Chief Aubbeenaubee had a large reservation. Chief Benack and his village lived on a reservation in Tippecanoe township. In fact, Indians claimed and occupied the whole county except the strip of land given for the Michigan road, a mile wide, stretching across the county north and south through Plymouth.

In 1834 a commission tried to buy the Indian land and succeeded in making a contract for most of it at fifty cents an acre. But on account of some individual reservations made in the treaty the government refused to ratify the purchase.

Col. Abel C. Pepper, of Lawrenceburg, then Indian agent, succeeded, in 1836, in buying the Indians out at $1 per acre, giving the Indians the privilege of remaining two years on the lands. The Indians asserted that this cession was obtained by unfair means, but it seemed to have been accomplished as most others had been.

Anticipating the land sale which was to take place when the Indian lease expired, August 5, 1838, squatters began to enter the country and settle on the Indian land. They expected to hold their land later by the right of pre-emption. The Indians began to show their resentment as the time for their forced migration approached. They contended that the chiefs had no right to sell the lands, and went so far as to murder one of the chiefs who had "touched the quill."

General Morgan and Colonel Pepper were busy among them, trying to persuade them that in the west was a much better place for them. Councils were held at Plymouth and at Dixie lake, but the red men were obdurate. Then Col. Edward A. Hannegan, later a United States senator from Indiana, came from the

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post with a company of militia to see what effect that would have. It had none.

Pioneers had already squatted on the Indian lands. On August 5 these squatters demanded possession of the Indian huts and fields. Many of the Indians had been induced to plant corn. They were told that the government would not sell their land till it was surveyed, and that could not be done during the summer of 1838.

The Indians refused to give possession and both parties resorted to violence. The fur traders in the region sided with the Indians and advised them to resist the squatters. The Catholic priest located at the Twin Lake Mission also advised them that the squatters had no right to demand their land, especially the crop of corn which was now raised.

A squatter named Waters, it seems, was especially persistent in demanding that the Indians give him possession of a quarter section of land he had laid claim to. About the middle of August some Indians battered down his cabin door with an ax. In return the squatters joined together and burned eight or ten wigwams.

The pioneers along the frontier were expecting trouble. It had been only a few years since the scare of the Black Hawk War. The Miamis had been sullen all the season. Stragglers from the transported tribes were returning from the west and telling how their fellows had suffered from cold and hunger out on the plains. So when word was received that the Indians were committing acts of violence the government acted swiftly.

Colonel Pepper called all the warriors together in council at Twin lakes, August 29. He could do nothing with them, however. The old men had lost control of the young bucks. All flatly refused to leave, saying that both they and the President had been de-

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ceived. While they were sitting in council John Tipton with the militia arrived. The government's agents had been preparing all summer for the removal of the tribe, but perhaps would not have done it till the cool weather of the autumn.

As soon as Colonel Pepper of Logansport had heard of the first Indian depredation—and he heard as soon as a courier from the squatters could reach him, August 26—he at once sent a dispatch by mounted courier to Governor David Wallace asking for a good general and at least one hundred soldiers. He reported that the Pottawattomies on Yellow river were in arms and an outbreak was expected at any moment. This message reached Governor Wallace on the next day. The same day he received word the governor sent an order by courier to John Tipton of Logansport, ordering him to muster the Cass and Miami county militia and proceed with all haste to the scene of trouble.

Tipton lost no time in enrolling the militia. They left Logansport at one p. m. August 29. At ten o'clock that night they went into camp at Chippewa. Breaking camp at three a. m., they reached Twin lakes as above noted and found Colonel Pepper and the Indians in council. Tipton at once stated his business, scolding the chiefs for the depredations. The Indians made no excuses for the outbreaks and again refused to leave their homes. From the report it seems clear the whites were the aggressors and had done nearly all the damage. Tipton wasted no words, but established a camp on an island in the lake and detained all the Indians present, about 200. As all the leaders were present it was easy to control the rest. All were disarmed as soon as found.

Squads of soldiers patrolled the country in all directions looking for the Indians and driving them in. Many, fearing harm to those at council, came in to see

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what was wrong. By September 1 more than 700 were rounded up. All the Indian wigwams and cabins were destroyed. Their ponies and all their other property were brought into camp.

Early on the morning of September 4 Tipton commenced to load the thirteen army wagons in which their goods were to be moved. About 400 horses were found and kept on the island till ready to start.

The procession left the Twin lakes, September 4, and dragged its mournful way south over the Michigan road through Chippewa, twenty-one miles distant, going into camp at sunset. Father Pettit, the missionary whom Bishop Bruté had stationed there, had been allowed to gather the Indians into the little chapel and say a farewell mass before they started. The first day's march was excessively tiresome. No water could be found for drinking and the road was dusty. They traveled from 9 a. m. to sunset, the mounted guards prodding on the laggards.

Next day forty-one persons were unable to move. Others had to wait on the sick. Beef, flour and bacon had been ordered from Logansport, forty-six miles distant, but only a little reached them.

On September 5 they reached Mud creek. Twenty guards deserted during the day, stealing Indian horses on which to get away. On September 6 the Indians marched seventeen miles, reaching Logansport, about 800 strong. They waited near the town three days for the government agents to make better arrangements for traveling. One-half the militia were discharged and half were kept to accompany the Indians to the State line.

By this time the Indian children and old people were completely worn out. The children, especially, were dying in great numbers, not being used to such fare. Physicians from Logansport reached them on the 9th and reported three hundred unfit for travel.

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The march from this time was not so rapid. William Polke took a small detachment of troops and revisited the abandoned villages to see if any Indians had returned. Several children died during the stay at Logansport.

September 10, they started at 9 a. m. and skirted the north bank of the Wabash all day, reaching Winnamac's old village by 5 p. m. Food was very scarce. The priest was given permission to say mass every evening. They left Winnamac's old village at 10 a. m., marched seventeen miles on the 11th, and camped at Pleasant Run at 5 p. m.

Next day they forded the Tippecanoe at 11 a. m. and passed the Battleground at 12 m. Here Tipton distributed to the Indians $5,000 worth of dry goods, hoping by this means to raise their spirits somewhat.

Chief Wewissa's mother died on the 12th at the extreme age of 100. She had asked to be killed and buried with her fathers at the Mission and the chief had decided to humor her, but the white men would not permit it.

On September 13th they reached Lagrange on the Wabash, a short distance below Lafayette, marching eighteen miles. One hundred and sixty were under the care of Dr. Ritchie and son, the attending physicians. The phyicians were almost entirely out of medicine. The children were dying at the rate of from three to five a day. On the 14th they reached Williamsport. On the 16th they reached Danville, Ill. Heat and dust were getting worse. Large numbers of sick had to be left in the road. Horses were worn out and the guards were nearly all sick, and unable to proceed.

At Sandusky Point, on the 18th of September, Tipton turned the command over to Judge William Polke, who had been appointed by the national government to superintend the removal. Judge Polke, Father

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Pettit, and an escort of fifteen men continued with the broken tribe to their destination on the Osage river, in Kansas. The journey required about two months and cost the lives of one-fifth of the tribe.[16]

A few Indians remained in Indiana scattered on small reservations in various parts of the State. The larger numbers of these were on the lower Mississinewa, around Maxinkuckee lake, and around the small lakes in Kosciusko county. As citizens they were no match in their business dealings with their white neighbors. They gradually parted with their lands and spent the proceeds. A few remain at present, respected and treated well by their white neighbors. They have taken on enough of the white man's thrift and culture to convince anyone that the whole tribe might, under more fortunate circumstances, have been saved to civilization.

[16] The details of this removal are given in the Indianapolis, Logansport and LaFayette papers. The *Indiana Journal*, and *Indiana Democrat* of Indianapolis contain the official reports; see also Jacob P. Dunn, "The Trail of Death," in *True Indian Stories;* Col. William M. Cockrum, *A Pioneer History of Indiana* tells the story also. The best discussion of this phase of our Indian history is by Daniel McDonald, of Plymouth, who interested the General Assembly in the matter of erecting a monument to the tribes in Marshall county.

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## CHAPTER XV

### THE PUBLIC LANDS OF INDIANA

### § 63 The Survey, Its Methods and Area

ALL the land of Indiana except the "gore" falls under what is known as the Fifth System of the public lands survey. The system was worked out by Col. Jared Mansfield, the surveyor-general from 1803 to 1814. The immediate problem that confronted Mr. Mansfield in 1803 was to survey the Vincennes Purchase. This rectangle lay around and to the east of Vincennes, being entirely surrounded by Indian lands. The northeast corner was two miles north of Orleans and the southeast corner was in the northern part of Perry county. These are known as Freeman's Corners from the name of the surveyor, Thomas Freeman, who ran the lines in 1803.

Through the northeast corner of the Vincennes tract was run the second principal meridian, which struck the Ohio river at the east boundary of Perry county. This meridian governs all the survey of Indiana except that wedge east of the Greenville Treaty line called the "gore." The first base line was surveyed by Ebenezer Buckingham in 1804. It follows, approximately, the old road from Vincennes to Louisville, striking the Wabash three miles above the mouth of White river.

On the principal meridian, corners were set up six miles apart marking the tiers of townships. Other corners were set up one mile apart, marking the sections. On the base line similar corners were set up at equal intervals. The latter corners governed the



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township and section lines on the north side of the base line only. After the two main lines were surveyed the parallel lines were run six miles apart, after which the section lines were established. In running the meridian section lines it was found that they converged at the northern base or correction line. This made it necessary to set a double row of section corners along the base lines. The ones which controlled the southern side were called the "close up" corners.

The actual surveys were made by deputy surveyors hired by the United States surveyor general for the district. The deputies used solar compasses, transits, and common compasses. A surveying squad consisted of two chainmen, a flagman, axman, and two mound men. The chainmen measured the distance with a four, or two-rod chain. The short chain, 33 feet long, was used on rough ground since, in measuring, the chain had to be level. The flagman led the squad, placing the flag as directed by the surveyor. The axman cut the bushes out of the way and also "blazed" the trees. If a tree was a "liner" it was chopped, or "blazed," on both sides; if a "bearing" tree, that is, stood near the line, it was "blazed' only on the side facing the line. The mound men had to establish corners. If a tree stood exactly on the corner it was properly "blazed" and marked. If there was no tree a stone was set. If no stone was convenient a mound of dirt was erected. In the latter cases trees were marked as "witnesses," the surveyor recording in his field notes the direction, distance, and size of the trees. The section and range stones were marked with the proper numbers and letters so that anyone could tell the exact range, township, and section.

The surveyor noted also the character of land, the timber, and springs, on each section, and its probable value. All field notes were then returned to the sur-

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veyor general and, if approved by him, were sent to the government land office. After all the land was sold the surveyor's notes and plats were turned over to the State in which the surveys were located and are now preserved at the State capitals.

In the original survey only the section lines were run, but in making the plats the draftsman laid down the cross lines dividing the section into quarters and sixteenths. The sections in a congressional township were numbered from one up to thirty-six, beginning in the northeast corner and numbering the tiers back and forth. The townships were numbered consecutively as townships north and south and as ranges east and west.[1] The whole expense of surveying was not to exceed three dollars for each linear mile.[2]

## § 64 Land Offices

After a tract of land was surveyed, a land office was opened and the land placed on the market. As soon as surveyors had been put to work on the Vincennes Purchase a land office was authorized.[3] This office was ordered opened January 1, 1805. John Badollet, a friend of Albert Gallatin, and later a member of the State constitutional convention, and Nathaniel Ewing were the men placed in charge of the new office. Comparatively little land was sold here till after the close of the War of 1812. At this office was sold all the land then open for settlement west of the second principal meridian.

[1] Thomas Donaldson, *The Public Domain*, ch. VII; Payson J. Treat, *The National Land System*, ch. VIII; *Niles' Weekly Register*, April 12, 1817; George R. Wilson, "The First Public Land Surveys in Indiana," in *Indiana Magazine of History*, XII, 1 *seq.* The "Life of Ziba Foote," Vol. II, 359, *Indiana Historical Society Publications*.

[2] *United States Statutes at Large*, 1804, ch. 35.

[3] *Statutes at Large*, 1804, Sess. I, ch. 35. This act also provided for land offices at Detroit and Kaskaskia.

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In 1805 a line was run from Freeman's corner near Orleans to the Greenville Treaty line near Brookville and all the government land between this and the Ohio river was placed under survey. This tract had been purchased from the Indians in 1805. In 1807 a law provided for the opening of a land office for the tract at Jeffersonville.[4] This office controlled the land east of the second principal meridian. The settlers from the south, especially from Kentucky, who settled the hill country from New Albany to Bloomington, entered their land at this office. They formed the backbone of the "southern" element in our population. They were Jacksonian in politics, Protestant in religion, hostile to slavery, social, freedom-loving, poor, brilliant but uneducated.[5]

With the ratification of the New Purchase treaty in 1818 the whole of central Indiana was thrown open to the surveyors. The lands were divided into two districts, one land office being established at Brookville and the other at Terre Haute.[6] The two land districts were separated by the line separating the first and second ranges east of the second principal meridian. The Brookville office was opened early in the year 1819 by Lazarus Noble, a brother of Senator James Noble and Governor Noah Noble. The settlers in the Whitewater valley previous to this time had entered their lands at the Cincinnati office. This was not inconvenient for them since the large majority of them came down the Ohio or crossed it at Cincinnati. The Quakers were strong in this section, especially in Wayne county. For many years this was the most

[4] *Statutes at Large*, 1807, ch. 49, Sec. I.

[5] Baynard R. Hall, *The New Purchase;* Hanford A. Edson, *Presbyterianism in Indiana.*

[6] *United States Statutes at Large*, 1819, ch. 92. For the terms and boundaries of the New Purchase see *United States Statutes at Large*, Vol. 7, *Indian Treaties*, 187.

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populous county in the State. Politically, the section was Whig, and aggressively anti-slavery.

Williamson Dunn and Ambrose Whitlock opened the land office at Terre Haute in 1819. The settlers came very largely by the Wabash and hence found Terre Haute a convenient point. They came from all parts of the South and East and had no marked racial, religious, or political characteristics.

With the rush of settlers to the capital in 1825 the land office of Brookville was moved there. For a time it seems offices were maintained at both places. While Lazarus Noble was on his way to Indianapolis in October, 1825, to open the new office, he died and was succeeded by his brother, later Governor Noah Noble.[7] This office was especially active after the National road reached Indianapolis.

By 1822 settlers were locating around Fort Wayne. There was a large number of special reservations in that region but no public lands opened to settlement. Capt. James Riley came in the spring of 1822, and surveyed lands in the vicinity. The act of May 8, 1822, established a land office.[8] The land east of the line between ranges one and two east and north of the Brookville district was included in the Fort Wayne district. The office was opened with a land sale, October 22, 1823. Joseph Holman, of Wayne county, was the first receiver, and Samuel Vance of Lawrenceburg, register. The office was in the old fort.[9] During the decade from 1830 to 1840 this office was thronged with settlers who came up the Maumee, attracted by the opening of the Wabash and Erie canal.

In 1828 the northwest quarter of the State was erected into the Crawfordsville district.[10] Beginning about 1825 a heavy immigration set into the Wabash

[7] *Indiana Journal*, August 16, 1825; also November 22, 1825.
[8] *United States Statutes at Large*, 1822, ch. 126.
[9] Col. Robert S. Robertson, *Valley of the Upper Maumee*, I. 199.
[10] *United States Statutes at Large*, 1833, ch. 77, Sec. 10.

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country by emigrants from the southern part of Indiana and elsewhere, coming up through the central part of the State. Such people found it convenient to go to Terre Haute. For this reason Dunn and Whitlock had held a land auction at Crawfordsville, beginning December 24, 1824.[11] Just when the office was permanently located at Crawfordsville does not appear, but it was prior to 1828.

The last land office district to be laid off in Indiana was the LaPorte. It included the lands lying west of the eastern boundaries of Kosciusko and Elkhart counties, and north of the parallel running through Delphi.[12] The law providing for this office was passed, March 2, 1833, but just when the office was opened does not appear. It was removed to Winamac during the summer of 1839.[13]

## § 65 Land Sales

Excepting the lands reserved for school purposes, and those bordering salt springs and known as the "saline lands," all the lots in a district were offered at public auction. Due to the fact that a district's boundaries were frequently changed after an Indian treaty, there might be held more than one auction in a district.

At the auction, which usually took place at the opening of the district, the various lots of land were cried and sold to the highest bidder, provided the bid was equal to or above the minimum price fixed by Congress. Three months' notice of auctions was given in a proclamation by the President. The lands were offered in whole, half, or quarter section lots. Smaller lots were sold if the buyer would pay the extra cost of surveying. The usual duration of the sale was

[11] Sanford Cox, *Old Settlers*, 17.
[12] *United States Statutes at Large*, 1833, ch. 78, Sec. 10.
[13] *Indiana Journal*, November 15, 1839.

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three weeks, but after 1820 Congress reduced the time to two weeks.

The price fixed by Congress in 1800 was $2 per acre.[14] The purchaser was required to pay at the time of purchase $6 per section or $3 per half section to cover the cost of the survey, and he was also required to deposit one-twentieth of the purchase price. He then had forty days to pay the first installment, which consisted of one-fourth of the purchase price. The last installments consisting of one-fourth each were due at the end of two, three, and four years. Six per cent interest was charged if payments were not made on time, and eight per cent discount was allowed if money was paid before it was due. The government was a liberal creditor. Every favor possible was shown to the honest buyer. Under a later law the debtor was given scrip for what he had paid, if unable to complete his payments. When all payments were made the purchaser was given a patent.[15]

The amount of money taken in at the land office was proverbial. January 1, 1815, the office at Jeffersonville reported $242,176 outstanding, while Vincennes had $122,723 out. By January 1, 1819, these debts by the land buyers had increased to $1,021,834, and $1,390,909, respectively.[16]

During the first year of our statehood the Jeffersonville land office sold 261,142 acres for $522,285; Vincennes 325,361 acres for $601,302.[17] The public land sales at Indianapolis were held in October, 1820, July and August, 1821, and in September, 1822. There

[14] The Government has steadily reduced the price of public lands. The following have been the prices: $2.50, $2.00, $1.25, $1.00, $.75, $.66⅔, $.50, $.25, $.12½, and gifts as a homestead. Thomas Donaldson, *The Public Domain*, index.

[15] The Government lost about $20,000,000 out of $47,000,000 credited under the law of 1800.

[16] *American State Papers, Finance*, III, 782.

[17] *Niles' Register*, XIII, 261.

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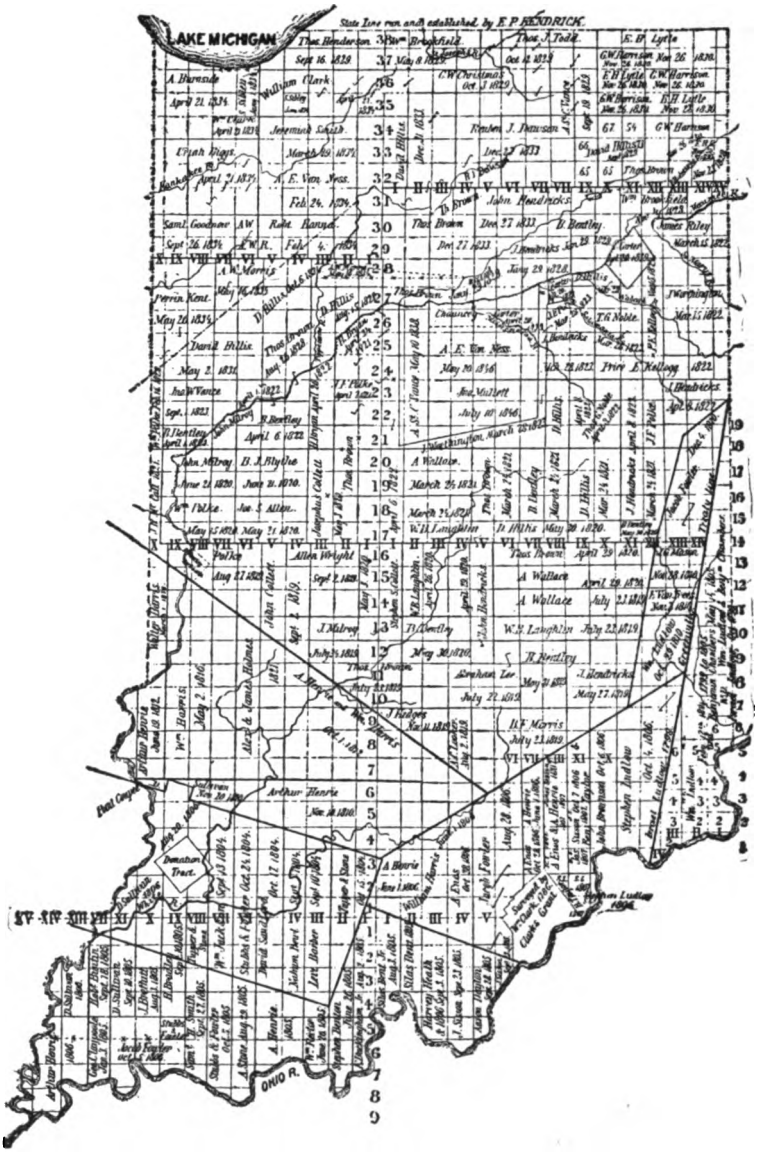


LAND SURVEYS—STATE GEOLOGICAL REPORT, 1882

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were sold 237,173 acres at an average price of $1.44½ per acre. The remainder of this district, 570,227 acres, was sold between 1820 and 1828 for the minimum price, which had been reduced at that time to $1.25 per acre.[18] The receiver at Fort Wayne wrote in July, 1836, that he was receiving $25,000 per day. He expected to take in $1,500,000 during the season. Crawfordsville was doing even better; in fact, the latter office exceeded all the offices of the United States for several years in the amount of business done.[19]

One of the serious problems of the land office was to get the money back to the government. After Jackson issued the Specie Circular nearly all the money received was in coin. From Fort Wayne and Crawfordsville it was frequently transported in four-horse wagons, guarded by a score of armed men.

The receivers were very careful as to the kind of money they received. Only such as could be deposited in the Bank of the United States as cash would be received. It was necessary for one who owed the land office to get this kind of money. This led to much inconvenience and positive wrong. At the old land office of Vincennes a bank was established where the customers could get their bank notes converted into land-office money. The bankers—in this case the receiver was president of the bank—charged from six to twelve per cent for this service. This business was called "note shaving." The money when received at the land office was deposited immediately in the bank and again used for "note shaving." The office at Indianapolis was kept over a store, the storekeeper doing the "note shaving" with money furnished by the receiver of the land office.[20]

[18] *Indiana Journal*, July 19, 1834.

[19] *Republican and Banner*, July 20, 1836; Logansport *Telegraph*, June 18, 1836.

[20] *American State Papers, Finance*, V, 66; *American State Papers, Public Lands*, VII, 507; see also Logan Esarey, *Early Banking in Indiana*, 234.

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The land offices were among the most lucrative public positions open to ambitious politicians. As a result there were many cases of fraud and embezzlement, not to mention errors caused by ignorance. A general investigation of the land offices was begun in 1833. James B. Gardner, who inspected the offices in Indiana, found them in bad condition. He estimated that one-fifth of all the land certificates issued were defective either through the laziness or ignorance of the register.

Many of the receivers were speculating in land scrip. As mentioned above, if any one failed to pay in full for land, the land was taken back and the buyer was given scrip or due bills for money actually paid and this was subsequently received as cash in payment for other land. The receiver bought up this scrip at heavy discount and turned it in as cash. Speculators in the East bought it up and cashed it with dishonest receivers. A widely organized ring of speculators was found among the congressmen and men in the General Land Office at Washington. It perhaps cost one Indiana senator his re-election. The agent at Indianapolis in 1833, in connection with a merchant of the town, was doing an extensive business in scrip, of which the merchant, during the year 1833, had gathered up $98,000 worth. Not only was this turned in to the land office at par, but it was used by the merchant to "shave" money brought in by the buyers, which was not acceptable at the land office. A clerk in the store held a commission as notary public and was making large sums of money taking affidavits which were demanded on every pretense by the receiver, who shared in the fees. The receiver had formed a partnership with a local broker and they were doing a profitable business speculating in lands and cashing notes given by the land buyers. On these notes they

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got eight per cent discount. At the time of the investigation the receiver had $12,000 of government money so invested. The receiver had also loaned large sums of money to the merchants of Indianapolis. The United States attorney, who was a candidate for United States senator, found it very embarrassing politically to collect the debts due the land office on account of the large number of prominent persons who had borrowed money from the receiver.

At Crawfordsville the inspector found everything in an uproar. The office had been placed in the hands of Dr. I. T. Canby, the defeated candidate for governor in 1828. As soon as he arrived, he and his bondsmen began using the land office money to set themselves up in the mercantile business. In a short time Canby was a defaulter to the extent of $46,443. His bondsmen had entered 3,200 acres of first-class land at the lowest price. Gen. Samuel Milroy, one of his bondsmen, had taken over the office but had later turned it over to his son.[21]

Speculation in public lands did not play so important a part in Indiana as it had in Ohio. Many of the towns of the State, however, were opened up by speculators. There was complaint of speculators at the land sales at Indianapolis, Jeffersonville, and especially at Fort Wayne. By 1830 the speculator had come into such bad repute that he would not be tolerated at the sales. This was the case at Crawfordsville, LaPorte, and Winamac. Women who came to the sales

[21] The details of this investigation are given in *American State Papers, Public Lands*, VII, 560. The following defalcations were reported: Joseph Holman, Fort Wayne, $4,721, paid after suit; Charles M. Taylor, Jeffersonville, $5,738, paid after suit; Andrew P. Hay, Jeffersonville, $5,046, paid after suit; J. C. S. Harrison, Vincennes, $9,253, given 18 years to pay; Israel T. Canby, Crawfordsville, $46,433, paid by securities. The money at Indianapolis was secured by the bondsmen without suit and the office reported even.

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to bid off their homesteads were not bid against. After the sales, speculators or their agents visited the land office and frequently bought up a great many tracts. One of their plans was to hunt up those persons who had purchased small tracts and buy the adjoining land. If the settler prospered he would soon want more land. If he failed the speculator would buy his tract at the government price and get the advantage of the improvements. In any case he would get the advantage of the rise of land without doing his part in developing the community. He paid very little tax, did not help build roads, raise houses, churches, schoolhouses, or roll logs. The speculator, the note shaver, and the horse thief were the most despised men on the frontier.[22]

The following table shows the amount of land sold in the years given and the money received. It gives one a good idea of the number of persons coming into the State every year, though of course not all buyers were immigrants:[23]

| | | | |
|---|---|---|---|
| 1816 | there were sold, 586,503 | acres for | $1,123,587 |
| 1817-1822 | were sold, | acres for | 2,108,336 |
| 1822 | there were sold, 252,982 | acres for | 329,066 |
| 1823 | there were sold, 165,046 | acres for | 211,157 |
| 1824 | there were sold, 154,558 | acres for | 187,508 |
| 1825 | there were sold, 162,270 | acres for | 210,248 |
| 1826 | there were sold, 200,190 | acres for | 250,238 |
| 1827 | there were sold, 209,691 | acres for | 263,063 |
| 1828 | there were sold, 250,812 | acres for | 313,517 |
| 1829 | there were sold, 346,527 | acres for | 435,571 |
| 1830 | there were sold, 476,351 | acres for | 598,115 |
| 1831 | there were sold, 554,436 | acres for | 694,863 |
| 1832 | there were sold, 546,844 | acres for | 684,209 |
| 1833 | there were sold, 554,681 | acres for | 693,522 |

[22] Sanford Cox, *Old Settlers*, 18; Col. William M. Cockrum, *A Pioneer History of Indiana;* Robert S. Robertson, *Valley of the Upper Maumee*, I, 198; Noah Major, *Memoirs.*

[23] *American State Papers, Public Lands*, VII, 530; see also *Niles' Register*, IX, 278.

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The offices had collected the following amounts up to the close of 1835:[24]

| | |
|---|---|
| Vincennes | $2,317,657 |
| Jeffersonville | 2,265,127 |
| Brookville & Indianapolis | 2,153,875 |
| Terre Haute & Crawfordsville | 2,315,689 |
| Fort Wayne | 355,853 |
| LaPorte | 102,040 |

The total area of the public land in Indiana was 21,637,760 acres. Of this the State of Indiana received as a gift 23,040 acres of "Saline lands"; 2,612,321 acres of "swamp lands"; 650,317 acres for common schools; 46,080 acres for the university; 1,457,366 acres for the Wabash and Erie canal; 2,560 acres for a capital site; 170,582 acres for the Michigan road.[25]

[24] *American State Papers, Public Lands*, VII, 543.

[25] Thomas Donaldson, *The Public Domain*, index; *Public Lands*, VI, 663; Purdue University received 212,238 acres, but none of it was in Indiana.

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## CHAPTER XVI

### SYSTEMATIC INTERNAL IMPROVEMENTS

### § 66 THE PROBLEM, THE PEOPLE, AND THE LEGISLATURE

IMMEDIATELY after the War of 1812 there arose in all parts of the United States a demand for internal improvements constructed by the government. The rise of a political party favoring this policy is contemporaneous with the admission of Indiana into the Union. The party found its strength among the farmers, and was based on a legitimate economic need. The farmers throughout the State possessed an abundance of fertile lands. Their surplus products were of little value to them, since a large part, and frequently all, of their profits were eaten up in transportation. Their markets were the seaboard cities, and the farther west the farmer was, the less valuable was his surplus grain. Every State from New York south and west was busy from 1816 to 1840 developing and perfecting its own system. Legislators and legislatures were called wise just in proportion to the completeness and inclusiveness of their systems. Every State sooner or later caught the fever, and in the two decades following the close of the War of 1812 they rolled up a combined internal improvement debt aggregating $225,000,000.[1] Pennsylvania took the lead in amount, while New York led in time and spirit, and was the only one to carry the policy to success. At the very time when the Indiana General Assembly was holding its first

[1] *American Almanac and Repository of Useful Knowledge for the year* 1840, 105.

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session, the future policy of the United States toward internal improvement was being decided. In the session of Congress, convened in 1816, a select committee,[2] appointed on motion of John C. Calhoun, introduced a bill setting aside the bonus of $1,500,000, paid by the Second Bank of the United States, and the annual dividend on $7,000,000 of stock, owned by the United States, as a fund for building roads and canals. This measure passed Congress by virtue of votes from the middle and western States, but it was vetoed by Madison. Three months after the first Indiana Assembly adjourned—April 15, 1817—the legislature of New York undertook the construction of the Erie canal, and every resource of that State, from the income of lotteries to the labor of her convicts, was pledged to its completion.

In his message to the General Assembly of December 2, 1817, Governor Jennings of Indiana referred to a letter from DeWitt Clinton of New York, discussing the practicability of connecting the Great Lakes with the Ohio-Mississippi system, thus making all-water connection between the Hudson and Mississippi.[3] In the same message, he notified the General Assembly of a resolution of the Pennsylvania legislature, inviting the governors of Ohio, Virginia, Kentucky, and Indiana to meet the governor of Pennsylvania in a conference on internal improvements, especially looking to the better navigation of the Ohio.

Even then there were two parties in State politics that continued through the whole era to divide the counsels and energies of the young State. The settlers along the Ohio and Wabash rivers looked to New Orleans as their commercial emporium; while all those settlers, and they were rapidly increasing in numbers and influence, who came over the National road, looked

[2] McMaster, *A History of the People of the United States*, IV, 411.

[3] *House Journal*, 1817, 8.

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to New York and the seaboard cities as the best markets. During the next ten years the "System" was the commonest subject of discussion. No one knew exactly what was meant by the "System," but it was felt that as soon as possible the State, by some means or other, would construct some kind of a system of transportation that would answer the needs of the people.

In response to memorials, Congress, May 26, 1824, donated to the State a strip of land 320 feet wide through the public domain, on condition that the State, in twelve years, would construct a canal thereon. The committee on canals of the Indiana General Assembly reported the grant illiberal, and moved another memorial.[4] The governor urged in his message of 1825 that the grant be accepted at once and a further memorial sent to that body asking a section of land for each mile.[5] This, they thought, would easily build it. Thus a continuous waterway from New York to New Orleans would be opened across the country. This canal needed to be only twenty-eight miles long. Further, there was a great demand, continued the governor, for a canal from Lawrenceburg to Fort Wayne. A company, in fact, was already surveying the route. A commissioner was then examining White river, and ere long, wrote the governor, two hundred miles of waterways would there be opened for navigation. Internal improvements were demanded by necessity and the spirit of the time. The State must have canals.

The question of a canal at the portage between the Maumee and Wabash rivers was an old one. Every statesman of this and the preceding period who was interested in the northwest had studied the problem of an all-water trade route between the seaboard and the Ohio valley. Washington repeatedly discussed it; and in a letter to his secretary of war, Henry Knox,

[4] *House Journal*, 1825, 176.
[5] *House Journal*, 1825, 38.

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suggested the Maumee portage as the most feasible point of connection.[6] The first definite information was based on surveys and observation by Capt. James Riley, a United States surveyor. While surveying land for a settlement he noted the ease with which the two rivers could be united. He reported to his superior, a report which soon found its way to Congress, that a canal six miles long would connect the St. Mary and Little rivers, from which navigation by the Maumee to Lake Erie and by the Wabash to the Ohio was easy. The swampy prairie through which the canal would run was reported to be so wet that no feeder would be required. This first observation was made in 1818, and during the following season he ran a line of levels. The canal, he thought, would need to be six miles in length.

## § 67 THE WABASH AND ERIE CANAL

THE history of the canal system of Indiana begins in earnest with an act of Congress, approved March 2, 1827.[7] The party of Clay and Adams, driven from power in the nation, thus, on the eve of dissolution, bequeathed its principles and its policy to the State of Indiana. This act granted to the State, for the purpose of aiding to build a canal, uniting at navigable points the waters of the Maumee and those of the Wabash, a strip of land one-half of five sections wide, on either side of the canal, reserving alternate sections to be selected by a land commissioner under the direction of the President. In the preceding session of the Indiana Assembly the canal committee had reported a bill providing for a canal board and some surveys. This bill failed on account of the reluctance

[6] *Writings*, IX, *passim*.
[7] *United States Statutes at Large*, IV, 236.

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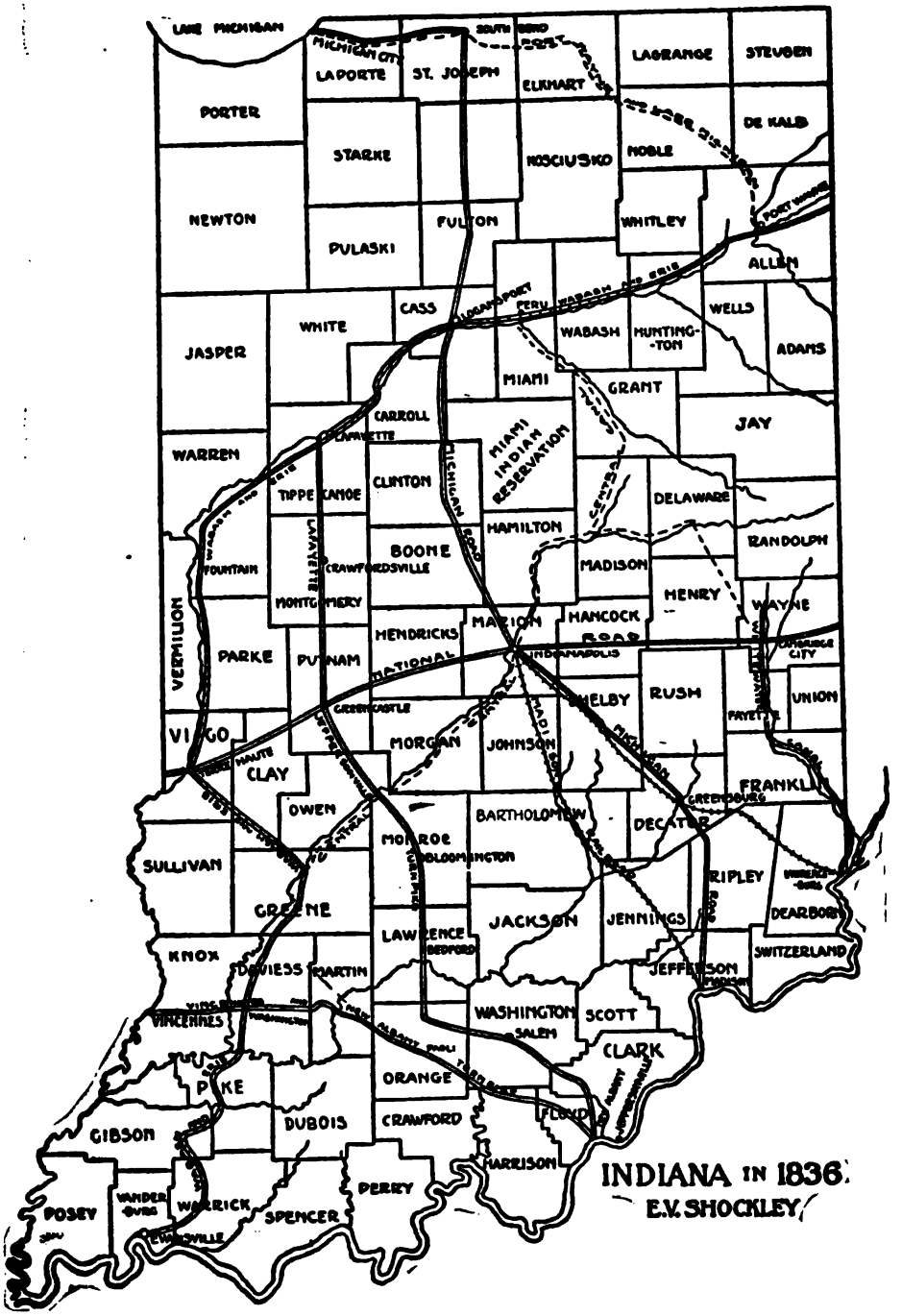


INTERNAL IMPROVEMENTS

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of the majority to raise taxes.[8] Surveyor James Shriver was then surveying the Whitewater for a company organized to build a canal from Lawrenceburg to Fort Wayne.[9]

Meantime the settlers on the upper Wabash were clamoring for aid. Produce could not be sold nor could they get goods from any place. Salt was hauled by ox teams from Michigan City at a cost of $12 per barrel, the trip requiring two weeks. In 1826 a corps of United States engineers, under the charge of Colonel Shriver, then at work on the Whitewater, was sent to survey the portage at Fort Wayne. All were soon sick and Colonel Shriver died. Asa Moore continued the survey to Tippecanoe, and then down the Maumee as far as the rapids, where he also died in his tent, October 4, 1828.[10]

On January 5, 1828, Indiana accepted the gift from the nation and committed the State to the building of the canal.[11] The act of acceptance provided for a board of canal commissioners to consist of three men whose duties were to select land, hire surveyors, locate the canal, make estimates, lay off town sites, and finance the undertaking.[12] The sentiment of the State was strong for internal improvements; all parties favored them, and the country was delirious with internal improvement fever.

[8] *House Journal*, 1826, 214.

[9] Governor's Message, *House Journal*, 1826, 46.

[10] Knapp, *History of the Maumee Valley*, 397.

[11] *Laws of Indiana*, 1827, ch. 7. See also Joint Resolution, ch. 98.

[12] This board consisted of Samuel Hanna, of Fort Wayne; Robert John, of Franklin county, and David Burr, of Jackson county. The board did nothing more than investigate and report to the next Assembly. The Assembly seemingly had gone as far as it could. When it came to expending money, there was a deadlock. The tax levy of the previous year had netted $33,000, which barely covered expenses. See Governor's Message, December 4, 1827. The annual message of the Governor may be found either in the *House*, *Senate*, or *Documentary Journal*.

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Two of the canal commissioners, Burr and John, met on the call of Governor Ray at Indianapolis, July 17, 1828, organized, and proceeded to the Wabash; but on studying the law they found themselves without authority.[13] An eight years' war opened then in the State Assembly, fought on the floor in session and in the newspapers out of session. The lowest estimates on the Wabash canal called for an expenditure of $991,000. The Whitewater members cared little for it and hung back for a deal. The Ohio river group opposed openly and stoutly. The speaker, Ross Smiley of Union county, favored railroads. Governor Ray also favored railroads because of less cost. The group that favored the canal, called the "Wabash Band," lacked unity. Mutterings of discontent over high taxes reached all parts of Indiana from the people of Ohio, who were building a system of canals. Added to this, there was no definite knowledge furnished by engineers. The settlers on the Wabash were impatient lest the State let the land-grant forfeit. The members from the south opposed, because the State had lost some money on the Ohio Falls canal. The canal committee of the General Assembly of 1828, headed by Samuel Judah of Vincennes, made a lengthy report in favor of canals, and again introduced a bill looking toward construction, and again the General Assembly turned them down. Some opposed it because they did not think it necessary, others because they wanted more definite information; while a large third party would not run the State into debt for something not absolutely needed.

When the surveys commenced, an unexpected trouble arose. Navigable points on the two rivers could not be united without building part of the canal in Ohio. This Indiana could not do. Accordingly, Ohio appointed Willis Silliman its agent to confer

[13] *Indianapolis Gazette.*

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with Jeremiah Sullivan with like power from Indiana. The men met in Cincinnati, October 3, 1829, and agreed that Ohio should take a part of the land grant and dig that part of the canal within her boundary.[14]

During the following October land sales began at Logansport and Lafayette. The tracts were put up at auction and spirited competition was shown. The prices, however, were a disappointment. The highest prices at Logansport were $4.06 per acre; lowest, $1.25; average, $1.75. From Lafayette came better reports, lots selling as high as $6 to $9 per acre. Two hundred and thirty-four thousand acres had been offered and 41,000 sold in 547 tracts or lots. There were no speculators buying.

The people grew more impatient to see digging begin, but the railroad party, under the lead of David Hoover of Wayne county, was strong enough to block the General Assembly for a whole session. The supplemental acts of 1832 put the project on its feet.[15]

[14] *Western Sun*, January 9, 1830.

[15] *Laws of Indiana*, 1831, ch. 1, 108. We are apt to judge the leaders of this period hastily and accuse them of losing their heads. They did make a gigantic mistake, but there are some mitigating conditions. This venture was considered, and held before the public ten years before work was commenced. Then it was undertaken only in despair of any better means of reaching a market with their produce. A bushel of corn at Indianapolis was worth 12 to 20 cents. On the river board it was worth 50 cents. An ordinary acre of farm land would produce sixty bushels—a loss on each acre, due to lack of transportation facilities of $18. The loss on one hundred acres was $1,800 annually. The State had within its boundaries millions of such acres whose value and usefulness to the State depended on commercial communication with the world. Now the nation was offering to donate land worth $1,000,000 toward a canal whose estimated cost was only $1,100,000, and vest the title in the State. The proposed canal, however, was far to the north of the settled portion of the State, and could never benefit nine-tenths of the people who were to build it. And it was only on the tacit agreement that it was to be the first of a system, reaching all parts of the State, that it was undertaken. It is not the undertaking, but the business method that comes in for most censure. There were too many commissioners, engineers, staff officers, land agents, paymasters, finance agents in New York, Baltimore and Boston.

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Surveyor Joseph Ridgeway had prepared final estimates that the canal complete would cost $1,081,970. A canal fund was constituted and placed in charge of three commissioners, known as fund commissioners. Money was to be borrowed at six per cent, pledging land, tolls, and the faith of the State. Lands were placed in three classes: The first, to sell at $3.50; second, at $2.50; third, at $1.50; and the canal board was to open sales again in October, 1832. Work was ordered commenced on the canal before March 2, 1832. The canal board began letting contracts, March 1, 1832. The canal was divided into sections about one-half mile long, for which the engineers had made full plans and specifications, and then each section was let to the lowest bidder. During the first year thirty-eight contracts were made, covering about twenty miles, and calling for $117,000 in payment. The canal board hired Jesse L. Williams to do its work of supervising construction.

The opposition to the canal gradually melted away till 1834, when there was no active trace of it left. It was then accepted as the settled policy of the State. The question with each locality was no longer, how can we oppose the Wabash and Erie, but how can we get a canal for our own county or neighborhood.[16]

Meanwhile the Wabash and Erie crept steadily westward from Fort Wayne to the mouth of the Tippecanoe, which was considered the head of navigation for the Wabash. The long line of huts resembled barracks to a fortified camp; and, if reports are true, the line resembled a camp in another very real way. The diggers were all Irish, and about equally divided between "Corkers" and "Way Downers" from Kerry. Members of the different bands never met without a fight.[17] On one occasion four hundred militia were re-

[16] See Judge David Kilgore's Speech in Constitutional Convention of 1850. *Debates*, Index.

[17] Helm, *History of Wabash County*, 68.

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quired to stop an impending battle near Lagro, in which four hundred Corkers had armed themselves and were moving up the line to clean out their enemies.[18] The board reported that about 1,000 men had worked on the canal during the summer of 1834.

After a careful examination of the Wabash river, the commissioners decided that Lafayette should be its southern terminus, and they had already assumed authority to make preliminary surveys. The canal had cost, thus far, $729,000, and to go down to Lafayette, which, they said, was the great steamboat landing and commercial center of that region, would cost nearly $100,000 more. The General Assembly in 1834 ordered the extension, the canal to cross the Wabash at Ballard's bluff in the pool of a dam. At the Birmingham bluff the canal was to be built out in the river and protected by brush rip-rap.[19] By the fourth of July, 1835, boats were running on the section west of Fort Wayne, but the tolls were not enough to keep it in repair. Already the wooden aqueducts were rotten. The State finally finished the line, and on July 4, 1843, it was opened from Lafayette to Toledo. The event was fitly celebrated in an oration at Fort Wayne by Gen. Lewis Cass.

## § 68 THE SYSTEM OF 1836

THE opposition to State internal improvement disappeared with the beginning of active work on the canal. The mania rapidly gathered headway after 1830. The time of the General Assembly was almost entirely taken with such schemes. Reports from all canals built in the east were flattering.[20] The Indiana legislature of 1832 incorporated a number of stock companies to build various lines of railroads. These

[18] *Documentary Journal*, 1835, 18.
[19] *General Laws of Indiana*, 1834, ch. 16.
[20] *Niles' Register*, December 1, 1835.

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included roads from Lawrenceburg to Indianapolis; from Madison *via* Indianapolis to Lafayette; from Jeffersonville *via* Salem, Bloomington, Greencastle, to Lafayette; from Harrison to Indianapolis *via* Greensburg and Shelbyville; from Lafayette to Lake Michigan; from Jeffersonville *via* Columbus, Indianapolis, and due north to the Wabash. These were not the idle dreams of irresponsible adventurers, but on their charters are the names of the best men of the State.

The years during the presidency of Adams and Jackson were an era of great commercial prosperity in the United States. Every resource was being developed to its utmost. Transportation facilities fell far behind the capacity for production. Seaboard prices remained high and steady. Every section was studying the same problem—how to get to market. New York had finished her great canal, but was eager for a waterway from the Lakes to the Mississippi valley. As a result of this work, New York City was rapidly running away from Baltimore and Philadelphia in wealth and population. Pennsylvania was spending vast sums of money to get a canal or railroad through from Philadelphia to Pittsburgh on the Ohio. Baltimore, in conjunction with Maryland and Virginia, was building a canal and a railroad from the Potomac to the Ohio along the old Braddock route. Ohio had taken the suggestion of New York, and had almost completed two magnificent canals from Lake Erie to the Ohio. The echo of all this activity was caught up in the newspapers of Indiana, and her farmers, already producing two and three times as much as could be consumed, read them eagerly. Borrow money was the argument, and build canals.[21]

Still, with the sentiment of the State overwhelm-

[21] Governor Noah Noble's Message, *House Journal*, 1834, 12. See further *House Journal*, 1835, 12, where the same idea is advanced more boldly.

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ing for the system, there was a serious political problem to be solved. All realized that there must be some limit to the number of works undertaken. The "Wabash band" were interested in a first-class canal to Lafayette, and a navigable Wabash from there to the Ohio. The Whitewater members—the strongest of the interests—were sure of their position, but wished to hold the State to as few lines as possible so as to insure a rapid prosecution of the Whitewater canal. In the absence of well-organized and disciplined parties, the project was not so easily carried as planned. The session of 1834-35 was spent in vainly trying to organize the Assembly on this basis. As finally organized, this party controlled every county in the State but seven—Harrison, Posey, Crawford, Switzerland, Hendricks, Perry, and Spencer—and six of these were on the Ohio.[22]

The Whitewater canal was the starting point in all these discussions.[23] The settlers in the valley, the most populous district of the State, as early at 1832 had petitioned for a canal. The Assembly of 1833 ordered a preliminary survey, a report of which by Surveyor Gooding was laid before the Assembly December 23, 1834.[24] The valley was reported to be shallow and the fall excessive, requiring a great number of locks. There were many washed banks where the canal would have to be built over the river. The survey began at Nettle creek near Cambridge City in Wayne county, close to the crossing of the National road. Thence it passed down the west bank to Somerset at the Franklin county line, where it crossed, recrossing again at Brookville and following the west bank to the Ohio at Lawrenceburg. The length was

[22] *Documentary Journal*, 1836, No. 5.

[23] For an excellent description of how this law was carried, see speech by Judge David Kilgore, *Debates in Constitutional Convention*, 1850, index.

[24] *House Journal*, 1834, 255.

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seventy-six miles, seven dams were necessary, fifty-six locks, and 491 feet of lockage. The estimated cost was $1,142,126.

It would give an outlet for Franklin, Rush, Fayette, Henry, Randolph, and Hancock counties, as well as large parts of Wayne, Union, Decatur, and Delaware—a district aggregating 3,150 square miles. Produce could be transported by this means at an average cost of $3.56 per ton as against $10, the current cost. This would save $221,000 for the section each year. The water power would turn 318 pairs of millstones. This argument is given in some detail to show the nature of the discussions that occupied the General Assembly and the newspapers during the decade from 1830 to 1840.[25]

The time of the session of 1834 was taken by the Assembly in framing a bill for a general system of improvements. It developed into a game of legislative seesaw with the Whitewater canal as its center. Every member was willing to vote for the latter provided his own county was not neglected. No system could be determined which it was thought the State could build. When the Assembly of 1835 met, it at once went to work on the unfinished bill. The only fight left over was on the route from Vincennes to New Albany. The influence of the lobby prevailed, however, and it was included.

As a study of the political activity of the times the agitation for this road is worth noting. The movement was started by a letter signed "Knox" in the *Western Sun* in the early summer of 1835. Acting on the suggestion, the citizens of Daviess county met in mass meeting at the courthouse in Washington, October 5, and appointed delegates to meet similarly ap-

[25] *House Journal*, 1834, 344. This is a good summary of the argument for and against canals as they viewed them at that time.

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pointed delegates from all other counties interested at Paoli, October 26, to deliberate on the affair of a turnpike road.[26] After due discussion it was decided to send a lobby to the General Assembly, consisting of one man from each county. It was further decided to work for a macadam road. Petitions were prepared to be circulated in each county, and a committee of twenty appointed to present this united petition.[27] The agitation that backed each route provided by the pending bill was similar to the above, though usually stronger and more insistent.

On January 27, 1836, Governor Noah Noble signed the Mammoth Internal Improvement Bill.[28] Taken in all its aspects, its consequences immediate and remote, it was the most important measure ever signed by an Indiana governor. It carried appropriations aggregating $13,000,000, or one-sixth of the wealth of the State at that time, fixing the policy and mortgaging the resources of the State for half a century. The act provided that the governor, by and with the consent of the senate, should appoint six men to act with the canal board already appointed. These men were to serve three years, except that one-third of the first appointees were to serve one year, and one-third two years. The governor in making appointments was to have regard to local situations so that one member should be near each work. This board was to locate and superintend the works provided for, meet semi-annually, and make a detailed report to the General Assembly every session. Aside from necessary expenses, each member was to receive $2 for every day actually and necessarily employed. This board was to take such measures as were necessary to commence, construct, and complete the following works:

[26] *Western Sun*, October 10, 1835.
[27] *Ibid.*, October 31, 1835.
[28] *General Laws of Indiana*, 1835, ch. 2.

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1. The Whitewater canal over the route formerly designated. Also a canal to connect the Whitewater with the Central, from some point near the National road to some point in Madison or Delaware county if possible; if a canal could not be built, then connect them by a railroad. For these the sum of $1,400,000 was appropriated.

2. The Central canal, commencing at the most suitable point on the Wabash between Fort Wayne and Logansport, *via* Muncietown, to Indianapolis, down White river to the forks; thence by the best route to Evansville. Provided: The board may select the Pipe Creek route and build a feeder to Muncie if thought best. Appropriation, $3,500,000.

3. An extension of the Wabash and Erie canal from Tippecanoe river down to Terre Haute; thence by Eel river to the Central; or, if the board think best, strike the Central at the mouth of Black creek, in Knox county. Appropriation, $1,200,000.

4. A railroad from Madison, through Columbus, Indianapolis, to Lafayette. Appropriation, $1,300,000.

5. A macadamized turnpike from New Albany, through Greenville, Fredericksburg, Paoli, Mt. Pleasant, Washington, to Vincennes; $1,150,000 appropriated.

6. A resurvey of the route from Jeffersonville *via* New Albany, Salem, Bedford, Bloomington, Greencastle, to Crawfordsville, to be made before next October. If it be found practicable, construct a railroad, if not, a macadamized road; for which $1,300,000 was appropriated.

7. Fifty thousand dollars was set aside for removing the obstructions in the Wabash.

8. A survey of a canal if possible, if not, a railroad from the Wabash and Erie near Fort Wayne, *via* Goshen, South Bend, Laporte, to the lake at Michigan City. This was to be commenced within ten years.

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A general fund was provided, to consist of all moneys raised from sale of State bonds, from loans, grants, profits, appropriations, tolls, and rents. The fund commissioners were authorized to borrow $10,000,000 on twenty-five years' time, at six per cent. For the payment of this loan, principal and interest, there were pledged, the canals, railroads, turnpikes, all grounds, rents, tolls, and profits, to the sufficiency of which there was pledged the faith of the State. The right of eminent domain was given the board, and it was authorized to purchase for the State any lands made especially valuable by the works; though no member could buy land for himself within one mile of a canal. The Indianapolis and Lawrenceburg railroad was given the right to borrow $500,000 on the credit of the State, giving by way of security to the State a mortgage on wild lands. Finally, the State pledged itself to build each and all lines with all haste possible.

The news of the passage of the bill was received by the people with every demonstration of joy. Illuminations, addresses, and bonfires were the order in every city and town from Evansville to Fort Wayne. Not only in Indiana, but from Boston to New Orleans, the enterprise and spirit of the young State were applauded. The immediate effect of the measure was to boom every town on the line and cause many new ones to spring up—on paper. Thousands of town lots were thrown on the market at the ridiculously low prices of $50 to $200 each; although the land, in many cases, had been bought within the year for $3 per acre.

## § 69 Construction of Canals and Roads

Pursuant to the act, Governor Noble appointed Samuel Hall, of Gibson; Thomas H. Blake, of Vigo; David H. Maxwell, of Monroe; John G. Clendennin, of Orange; John Woodburn, of Jefferson; and Elisha Long, of Wayne county, as the six new members of the

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board of internal improvements. The board met at Indianapolis, March 7, 1836, with all present but Judge Hall. Maxwell was unanimously chosen chairman. The board appointed Jesse L. Williams engineer, and requested the fund commissioners to place a loan of $2,000,000. After deciding what sections should be put under contract, the work was distributed so that each member had the work nearest his home under his supervision.[29]

The meeting was anything but harmonious. The scramble for the lion's share of the money began as soon as the first meeting was called to order. Each commissioner seemed to be interested alone in getting his work completed as soon as possible. An engineer in chief for canals and an engineer in chief for railroads were hired in addition to a resident engineer, and full corps of surveyors for each line.[30] The total number of these latter, many of whose positions were sinecures, was about seventy-five, at an average annual expense to the State of $54,000. This body of workmen was popularly known as the "Eating Brigade."[31]

After deciding on the general policy of putting only those lines under contract that would soonest yield a revenue, the board ordered work to be commenced as follows: Whitewater, from Lawrenceburg to Brookville, the home of Mr. Long; twenty-two miles of Madison railroad, out of Madison; the Wabash and Erie,

[29] Annual Report, *Documentary Journal*, 1836.

[30] They appointed as resident engineers: Chief, Jesse L. Williams; for roads, Henry M. Pettit; eastern end of Wabash and Erie, Stearns Fisher; central part of Wabash and Erie, L. B. Wilson; western part, Anderson Davis; Whitewater, Simpson Torbert; Indianapolis line, T. A. Morris; Evansville line, C. G. Voorhies; Cross Cut, W. I. Ball; Fall Creek and Erie and Michigan, Solomon Holman; Jeffersonville and Crawfordsville, R. H. Fauntleroy; Madison railroad, E. M. Beckwith; New Albany, Vincennes line, John Fraser.

[31] John Dumont, in *Recollections of Early Settlements of Carroll County*, 152.

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west to Lafayette; the Cross-Cut canal, from Terre Haute to Eel river; the Central canal, along Pigeon creek to Evansville; bridges and grading on Vincennes-New Albany turnpike; Central canal from the feeder above Indianapolis to Port Royal Bluffs; and twenty miles of the Jeffersonville and Crawfordsville road. This policy had nothing to back it but the selfish greed of the members of the board.

Work had scarcely begun before a hampering criticism of everything connected with improvements was commenced by the people and the legislature.[32]

A powerful party in the legislature insisted on "classification"—building a single line at a time—but no two sections could unite on what line to build first. The first annual report of the board prophesied plainly the final failure of the system. After reciting that "The system sprung from the reciprocal confidence, harmonious understanding and cooperation of the different sections," the board reported that scarcity of labor had prevented them from placing many contracts. The contractors in different sections were bidding against each other for laborers and attempting to lure away by extra inducements the better hands.[33] The people, once the digging was begun, and they saw the many weary years necessary to complete the work, soon awoke from the trance of the canal orator. The land policy of the State and nation, by allowing any one to buy land for a trifle on seventeen years' credit, drew the more enterprising men away from labor on the works. Above all, the character of the improvements to be made on several lines was still unsettled. Should they build a pike or a railroad on the Madison line? If a railroad, a single or a double track? Should the New Albany-Greencastle line be a pike, railroad or macadam? A special surveyor was ordered, who spent one

[32] *Western Sun*, January 2, 1836.
[33] *Documentary Journal*, 1837.

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year on the latter line, and still there was uncertainty. The same question hung over the Vincennes-New Albany line. A large party was at work in the woods and swamps of the northern part of the State trying to settle the question of canal or railroad from Fort Wayne to Lake Michigan. The same question was yet to be solved on the connecting line from Richmond to Muncie.[34]

Illinois and Michigan were engaged on similar systems and drawing heavily on the labor supply, as well as flooding eastern markets with bonds. The "System" orators had not only promised there would be no higher taxation, but that soon there would be no need of a State levy at all, as tolls would pay all. Consequently the General Assembly made no provision for interest. During the first year expenses mounted up to millions ($3,827,000), and the interest had to be paid from loans.[35] But Governor David Wallace assured everybody that the outlook was glorious, plenty of money among the people, although eastern banks were failing. During the year 1837 over $1,500,000 was expended, not including $34,000 for surveyors, or $70,000 for officers' expenses. Ten separate routes had been surveyed and ninety-eight surveyors were continually in the woods. During the year 1838, $1,693,000 was spent for digging, with usual incidentals, not including $170,000 for interest, which put the total near $2,000,000.[36] On January 24, 1839, Caleb Smith, the fund commissioner, reported that he had expended $5,000,000.

Governor Wallace, in his message of December 4, 1838, draws a distressing picture. The interest then due was $193,350, the revenue of the State was $45,000 from taxation, from total taxable property of $146,-

[34] Engineers' Report, *Documentary Journal* 1837 (not paged).
[35] Report of Board, *Documentary Journal*, 1837.
[36] *Documentary Journal*, 1838, No. 22.

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850,000. "If this condition," said the governor, "does not startle us, it should at least awaken us." The governor assured the General Assembly, though, that if it would borrow money and invest in bank stock, the State would realize enough to pay out.

The opponents of the improvement system gradually got the attention of the State. The question of reorganization and classification was raised in 1838, but without result. The next General Assembly abolished the whole organization and placed the financial affairs in the hands of two men, each under $100,000 bond.[37] The internal improvement board was reduced to three members, with orders to classify works and build one at a time. But the act came too late. The State was a bankrupt beyond the power of any remedial law. The system finally broke down in August, 1839, when the board ordered all work to cease. The State at this time seemed to recover consciousness, and began to take stock of its condition.

The work on the Whitewater canal had commenced first. A big celebration at Brookville, September 13, 1836, at which David Wallace, Governor Noble and Ex-Governor Ray were the orators, ushered in the undertaking.[38] The work was always pushed more than any other, on account of the great bulk of the population of the State being in that valley. Nine hundred and seventy-five men were employed, and the manager was sure the same force would finish the work in two seasons. December 20, 1838, Superintendent Long reported the canal well-nigh complete to Brookville.[39] This line was practically finished when the failure of the State required a cessation of work, notice of which was given by Noah Noble, president of the board, August 18, 1839.[40] In June of this same

[37] *Laws of Indiana*, 1838, ch. 16.
[38] *History of Dearborn and Ohio Counties*, index.
[39] *Senate Journal*, 1838, 256.
[40] *Senate Journal*, 1839, 144.

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year, boats had been run as far up as Brookville. It will be noticed that the original appropriation for the 116 miles was $1,400,000, the original estimate $1,700,000, and the final estimates over $2,000,000. During its first six months of operation $670 in tolls was collected. During this same period the gross receipts on the Wabash and Erie were $4,284—enough to pay interest on about $70,000, and not nearly enough for repair expenses.

Pursuant to the law of 1834, J. L. Williams surveyed the route for the Central canal in the summer of 1835. The plans called for a cut forty feet wide at the surface of the water, twenty-six feet at the bottom, and four feet deep. Six different locations were made. The surveys show the hesitancy and lack of knowledge that hindered all the works. During all the summer of 1836 surveying continued along the line. The Indianapolis division was laid off from the dam at Broad Ripple to Port Royal Bluff, twenty-four miles. Also the southern division along Pigeon creek in Vanderburg county, and the Cross Cut at Eel river from Terre Haute to Point Commerce, were laid down.

During 1836-37, forty-five miles were put under contract at $611,336. Seven hundred and fifty men were at work on the Indianapolis division. When work was suspended by the State, eight miles of the section from Indianapolis to Muncie were finished, sixteen miles immediately south of the capital, and nineteen miles on Pigeon creek. These sections, together with the Cross Cut, no part of which was ready to have water turned in, had cost the State $1,820,026. A humorous predicament of the Pigeon Creek section was that, when it was finished, Pigeon creek, which was supposed to feed it, was dry.[41]

By the close of 1841 the State had expended $156,-

[41] *Senate Journal*, 1841, 13. See *Documentary Journal*, 1835, No. 8, Report of Engineer.

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823 on the line from Fort Wayne to Lake Michigan, for which it had nothing to show but a wagon load of surveyors' field notes.

The Vincennes-New Albany route was surveyed during the summer of 1834 by John S. Collins and Watts.[42] The length was 105 miles and the grading was estimated at $4,300 per mile; ballasting, $10,878; total cost of line, $1,590,747. Work commenced promptly and $654,411 was expended. The road was built as far west as Paoli, forty-one miles, and twenty-seven miles more were graded. This work proved of considerable local benefit, and under such superintendents as John Frazier, 1844-47, Michael Riley, 1848, and Joel Vandeveer, 1850, enough tolls were collected to keep it in tolerable condition.[43] It never paid a dollar of revenue to the State.

Among the routes ordered surveyed by the Assembly of 1834 was the New Albany-Crawfordsville route, and thereafter the State confined its efforts in this section to this line—from New Albany, via Salem, Bedford, Bloomington and Greencastle, to Crawfordsville. Howard Stansbury was in charge of the preliminary survey.[44] The actual work was done by Edward Watts, John P. Paul and Fitzhugh Coyle. The line was 158 miles long and the total cost of "graduation" estimated at $628,581. This meant only an ordinary dirt road. During the summer of 1836, Surveyor Fontleroy was hired to survey the road with a view to building a railroad, which Commissioner Maxwell favored. The report was favorable, but the improvement board was not satisfied and ordered Jesse Williams, aided by ex-

[42] *Documentary Journal*, 1835, or *Senate Journal*, 1835, 213. Mr. Watts had just graduated that year from Indiana College.

[43] Reports are found in *Indiana Pamphlets*, vol. 2, Nos. 4 to 14, inclusive.

[44] *Documentary Journal*, 1835, No. 11, or *Senate Journal*, 1835, 115.

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pert railroad engineers, Forrer from Ohio and Welch from Kentucky, to resurvey.

These men reported that a macadam road would cost about $2,000,000, and a railroad about $7,000,000.[45] The controversy was finally ended by an act of the General Assembly, January 25, 1838, which directed the board to build a macadam road.[46] Work was not pushed on this line as on the others. Superintendent Maxwell seems to have had no faith in it. When work was suspended he had expended only $372,733 and had partly graded the sections from Salem south and from Greencastle north. Most of the money went to surveyors. Four different squads had spent as many seasons on it, and had agreed on nothing. The evidence seems to indicate that hunting and fishing were more congenial than surveying. Of all improvements of the State this line was conducted with least hopes of success.

As has been stated above, there was a great rush for railroad charters during the years 1831-'32-'33. The belief was general that the problem of travel and transportation had been solved. Long lines such as the Buffalo and Missisippi and the Charleston, Cincinnati and Chicago were projected. The plans were discussed in interstate railroad conventions. At this time a charter was obtained for the road from Madison to Lafayette. During the years 1834-'35-'36 there was a reversal in public opinion, and a railroad came to be regarded as practicable only when a canal or pike was impossible.

During the summer of 1835 Mr. Gooding surveyed for the State a line for a canal from Indianapolis to Jeffersonville.[47] One object of this canal was to fur-

[45] *Documentary Journal*, 1837, No. 19.

[46] *Revised Statutes*, 1838, 354.

[47] *Senate Journal*, 1835, 189; also *Documentary Journal*, 1835, No. 12.

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nish a way around the Falls, since it was to have two outlets—one above and one below. There were many obstacles to the construction, but Mr. Gooding finally found a feasible route and estimated the cost at $3,580,000. The cost staggered even that credulous General Assembly and they gave up this line with the consolation, however, that it would soon be built.

In the meantime Edwin Schenck had finished a survey for the Madison railroad. On this road he estimated that a four and one-half ton locomotive could draw thirty-six tons six miles per hour; or one horse, three and one-half tons, five miles. It was not decided what motor power would be used. Covered wooden bridges were called for in the plans. Flat rails from Liverpool were estimated at $49 per ton, edge rails at $59. The bluff at Madison was to be climbed on an incline by means of a windlass. The length of the road was 144 miles, and the first estimates of cost were $1,666,797.

Jesse Williams, chief engineer for the State, during the seasons of 1836-'37 kept a squad of surveyors on the line from Madison to Lafayette, and on January 30, 1838, after the State had spent $445,000, advised the legislature to abandon the railroad and build a pike.[48] When work was stopped on the road, twenty-eight and one-half miles were completed at a cost of $1,493,013. The northern end had been converted into a pike, and the section from Crawfordsville to Lafayette was graded.

Under the law of 1831 a board of three fund commissioners was appointed, whose duty was to borrow money to build the Wabash and Erie canal.[49] This board continued under the law of 1836. The business of the board was very poorly managed from the start

[48] *Documentary Journal*, 1837, No. 21.
[49] *Laws of Indiana*, 1831, ch. 1, sec. 3.

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and finally bankrupted the State. During the summer of 1832, $100,000 worth of State bonds were delivered to J. D. Beers & Company, Merchants' Bank of New York, on an unfair bid.[50] One-half of these were sold on credit, thus twice violating the law. This is only an example of how all the loans were placed. No books were kept, although the board kept an office in New York. The annual reports of the board of fund commissioners are not complete or consistent, and little reliance can be placed on them. The State government paid little attention to the board until money began to fail. It seems that bonds were signed and delivered to the several members of the board to sell as best each could.

When work was stopped on the State's improvements in August, 1839, the people at first refused to believe that the State had failed. The business of the State had come to depend so heavily on the money furnished by the fund commissioners that it was paralyzed.[51] Hundreds of contractors had put all their money into the work and now found themselves unable to pay the laborers whose living depended on their daily wages. The fund commissioners reported that money would soon be plentiful, but once the work was stopped the people soon came to recognize their condition.[52] It was useless to propose any plan for completing the system. When it was learned that State bonds to exceed $3,000,000 had been delivered, for which the State received nothing, and that the fund commissioners were charged with making immense sums of money by dealing in State securities, the people began to demand an investigation.

The election of 1839 was over before the panic

[50] *Documentary Journal*, 1835, No. 10.
[51] *Indianapolis State Journal*, March 12, 1840.
[52] *Western Sun*, August 31, 1839.

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struck the State, and the General Assembly stood as undecided under the conditions as did the people. But, taking up the murmur of the people, the Assembly, one of very limited ability, and well suited to the clique then robbing the State, attempted an inquest on the defunct system.[53] The House called for no less than seventeen formal reports and was completely bewildered by them. Eighteen reports were made to the Senate by the internal improvement officials. The members, through a long session of eighty-five days, discussed petty politics while the stealing continued under their eyes. The patience of the outraged people was exhausted. Before this deadlock Assembly had adjourned both parties were fencing for position for the election of 1840. This was the most desperately contested political campaign ever waged in Indiana. Both parties were well supplied with good speakers, who for near six weeks went up and down the State making speeches.

Meanwhile the financial outlook of the State grew darker.[54] Rothschilds were demanding interest on their bonds, and contractors with claims, for work done, of over $1,000,000 were petitioning for relief. There was a strong party demanding that State scrip be issued to complete the system.[55] The General Assembly finally passed an act, January 13, 1840, for their relief, which provided for an issue of $1,200,000 in treasury notes to pay contractors. Ex-Governor Noble had been placed on the reorganized board of improvements and was vainly trying to disentangle its

[53] *Western Sun*, January 28 and April 1, 1843. A letter from Dr. Coe, in *Indianapolis State Journal*, January 28, 1842. Letters from foreign creditors in the *Indianapolis State Sentinel*, June 17, 1842.

[54] *Western Sun*, November 23, 1839.

[55] *Indianapolis State Journal*, December 11, 1839.

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business. The State debt was reported by the State treasurer, Mr. Nathan Palmer, as over $13,000,000.[56]

During the summer of 1839 a plausible plan was hit upon by the Whigs for relieving the State.[57] This consisted in having the national government assume the State debts, at least to the extent of the sales of land made in the State. This plan was proposed in Congress and supported by Senator O. H. Smith, but it was killed by an adverse report of Felix Grundy.[58] The same plan was advocated by Governor Bigger in his inaugural address in 1840, in which he still clung to the hope that the State might, some day, complete its system.

The legislative session of 1840-'41 was spent considering plans of classification. From the outset there had been a strong party insisting on building one line at a time. Necessity had now brought the majority to that opinion. The majority of the people moreover were still in hopes that the State could finish the works; and in this faith the classification bill of February 12, 1841, was framed. It divided all the lines into two classes, of which the Whitewater canal and the Madison and Indianapolis railroad formed the first, and were to be completed at once. Nothing was done under this act, and a year later, the State, in a long, disjointed act of its legislature, finally brought to an end this nightmare of State canals.[59] The act provided a superintendent for each line, who might make a contract, if possible, with private companies to complete the work. To any such company, the governor, treasurer, and auditor of State, were empowered to transfer the property of the State.

[56] *Documentary Journal*, 1839, pt. I, Nos. 1 and 8.

[57] *Indianapolis Journal*, August 11, 1840.

[58] See speech of Grundy, *Congressional Globe*, 1839-40, Appendix, 110 and 223.

[59] *Laws of Indiana*, 1841, ch. 1.

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The Whitewater canal was turned over in 1842 to a company organized to complete it.[60] It was finished to Brookville in 1843, to Connersville in 1845, and to Cambridge City in 1846. The valley was too steep, and it was found impossible to hold the canal. A flood in 1847 did $100,000 damage, and the repairs for a single flood in the next year cost $80,000. The Whitewater Valley railroad paralleled it in 1865 and forever put it out of business.

The Madison railroad was leased till June 1, 1840, to Branham & Company, the State to get sixty per cent of the gross earnings.[61] Sering and Burt operated it the following year for seventy per cent. The State then operated it till February 3, 1843, when it was turned over to the Madison and Indianapolis Railroad Company. There followed an era of great prosperity for it. Its total receipts in 1850 were $687,619, but poor management and manipulation for control, together with the construction of the Indianapolis and Jeffersonville railroad, ruined it.[62] Although the State had expended near $2,000,000, it agreed to accept $200,000, to be paid in four years. As no part of this had been paid in 1855, a committee of the General Assembly was appointed to investigate. It reported in favor of compromising for not less than $75,000, to be paid in State five per cent stocks, then worth about thirty cents on the dollar.

The State sold the Central canal in 1859 to Shoup, Raridan & Newman for $2,425.[63] This company claimed valuable lands lying near the canal in Indianapolis, and there followed long and expensive litiga-

[60] *History of Dearborn and Ohio Counties.*
[61] *Ohio Falls Cities*, vol. II, p. 460.
[62] *Documentary Journal*, 1856, pt. I, No. 5.
[63] *Laws of Indiana*, 1859, ch. 110.

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tion.[64] The company later sold out to the Indianapolis Water Company.

In addition to this the act of 1841 provided for a State agent to take charge of the State property in litigation in the east. The first of these agents was Michael G. Bright, of Madison. The claims due the State on "hypothecated" bonds (sold on credit or given as security) aggregated $3,000,000.[65] Although the State agent worked on these claims many years he realized little more than enough to pay his expenses. His report shows that bonds had been issued to the amount of $15,000,000.[66] From these the State had realized $8,593,000 in cash, while $4,000,000 was represented by worthless securities. There remained a balance of over $2,000,000 embezzled by various State officers and agents.[67]

[64] *Fifty-third Indiana Reports*, 575.

[65] Governor's Message, *Documentary Journal*, 1841, No. 7.

[66] *Documentary Journal*, 1842, pt. I, No. 2.

[67] Committee report by J. C. Eggleston, *Senate Journal*, 1841, or *Documentary Journal*, 1841, pt. I, No. 6. See also *House Journal*, 1841, 33, and *Documentary Journal*, 1841, 15, for report of House Committee, composed of Edward A. Hannegan, John D. Defrees, William J. Brown, Joseph Ritchey, John S. Davis, Ethan A. Brown, Joseph G. Marshall, and John S. Simonson. They recommended that suit be filed against Stapp and Coe at once for malversation.

See also *Documentary Journal*, 1842, 1; Stapp's Report, *Documentary Journal*, 1841; *Noble's Report* in the same; also Report of Internal Improvement Board, *Documentary Journal*, 1837, No. 12, for an instance of the board's method of doing business. The State Agent's first report to the Governor, December, 1842, is sufficient commentary on the dealings of the fund commissioners: The Cohen Brothers failing, owed the State $312,000. In payment of this, they gave the Fund Commissioners their personal notes for $65,000; cash, $14,715; bonds for Winchester and Pontiac railroad for $46,644; 751 shares of stock in the Baltimore and Ohio railroad for $26,000; 1,000 shares in American Life and Trust Company; 500 shares in the General Insurance Company, and 230 shares in the Canton Company, all for $50,000; a second mortgage on 52 lots in the city of Brooklyn, with a sperm and candle factory, at $65,000; second mortgage on 565 lots in the second ward of New York City and 14 acres of land in Pough-

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## § 70 THE SETTLEMENT WITH THE CREDITORS

THE Wabash and Erie canal was a more difficult problem to dispose of than any of the other works of

keepsie for $60,000; an interest in some mining stock for $1,000. It is unnecessary to say this was all worthless property.

### INDIANA'S BONDED DEBT IN 1841

| Date of Loan | Amount | To Whom Sold | Interest | Sale Price | Cash |
|---|---|---|---|---|---|
| 1832 | $100,000 | J. D. Beers Company | .06 | 113 | $113,260 |
| 1834 | 500,000 | Prime, Ward & King | .05 | 101 | 505,250 |
| 1835 | 300,000 | Prime, Ward & King | .05 | 102 | 306,150 |
| 1835 | 65,257 | Secretary of War | .05 | 107 | 69,825 |
| 1835 | 200,000 | J. J. Cohen & Bro. | .05 | 105 | 210,000 |
| 1835 | 400,000 | J. J. Cohen & Bro. | .05 | 104 | 418,000 |
| 1835 | 90,000 | Prime, Ward & King | .05 | 104 | 94,250 |
| 1836 | 100,000 | J. J. Cohen & Bro. | .05 | 100 | 100,000 |
| 1836 | 2,742 | Secretary of War | .05 | 101 | 2,934 |
| 1836 | 440,000 | Biddle and Morris C. Co. | .05 | 101 | 444,400 |
| 1836 | 400,000 | J. J. Cohen & Bro. | .05 | 100 | 400,000 |
| 1836 | 589,000 | Biddle and Morris Can. | .05 | 101 | 594,890 |
| 1836 | 100,000 | Law. & Indpls. R. R. Co. | .05 | 100 | 100,000 |
| 1837 | 30,000 | Christmas, Livingstone | .05 | 100 | 30,000 |
| 1837 | 2,000,000 | Morris Canal & Bank Co. | .05 | 102 | 2,034,000 |
| 1837 | 121,000 | Law. & Indpls. R. R. Co. | .05 | 100 | 121,000 |
| 1838 | 40,000 | Staten Isl. Whaling Co. | .05 | 100 | 40,000 |
| 1838 | 300,000* | Western Bank of N. Y. | .05 | 100 | 60,000 |
| 1838 | 100,000 | Erie County Bank | .05 | 100 | 100,000 |
| 1838 | 100,000† | Detroit & Pontiac R. R. | .05 | 100 | 10,000 |
| 1838 | 60,000 | Staten Isl. Whaling | .05 | 100 | $ $ 60,000 |
| 1838-9 | 4,702,000 | Morris Canal Co. | .05 | 90 | $2,136,376 2,385,383 |
| 1839 | 20,000 | Binghampton Bank | .05 | 88 | 17,600 |
| 1839 | 294,000 | Indiana State Bank | .06 | 100 | 294,000 |
| 1839 | 200,000 | Merch. Ex. Bank | .05 | 96 | 192,000 |
| 1839 | 35,000 | Bank of Commerce | .05 | 96 | 33,600 |
| 1839 | 47,000 | Bank of N. America | .05 | 88 | 1,360 40,000 |
| 1839 | 221,000 | Madison Company | .05 | 88 | 194,480 |
| 1839 | 95,000 | Madison Company | .05 | 88 | 83,600 |
| 1841 | 30,000 | Various persons | .07 | 100 | 30,000 |
| 1841 | 404,000 | Various persons | .05 | 100 | 131,175 |
| 1841 | 665,000 | Various persons | | | 144,697 |
| | $12,751,000 | | | | $8,732,205 $3,040,972 |

*$240,000 still due; †$90,000 still due.

There was nearly $2,000,000 in bonds out and unaccounted for. The fund commissioners had taken collateral securities for money

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the State. In the first place, the State had accepted a large donation of land from the United States on condition that it build a canal uniting at navigable points the waters of the Wabash and Lake Erie. Although the State did not fear any punitive measures on the part of the federal government, still the violation of the obligation would remain a disgrace to the State. In the second place, the State had covenanted with Ohio to complete a part thereof as a joint undertaking. Ohio had completed her part of the canal, carrying it to Maumee Bay, Lake Erie, in 1843. At the instance and insistence of Indiana, Ohio had built seventy-one miles of canal whose value depended very largely on Indiana's fulfilling her obligations.

The Wabash and Erie was opened, as stated above, from Lafayette to Lake Erie, in 1843, and everything indicated that it would be a useful and money-making property. The people, as well as their creditors, had looked forward hopefully to the opening of the canal to the lake. They expected an income from it that would go far toward relieving the State of its financial troubles. The bondholders, who had received no interest on their bonds for three years, expected to receive their interest again regularly. Both parties were disappointed. Although the tolls did increase five hundred per cent, they still fell short of paying the running expenses of the canal. The year 1844 brought no brighter prospects. A flood closed the canal for two

still due on bonds "hypothecated." This list of the State's property furnished much amusement for facetious members. It included among others: Winchester & Potomac railroad bonds for $44,000; Baltimore & Ohio, and Baltimore & Susquehanna railroad bonds for $78,880; second mortgage on 184 New York City lots, $25,000; second mortgage on forty-eight Brooklyn lots, $150,000; second mortgage on land in Poughkeepsie, $30,000; debts on wildcat banks of western New York, $240,000; Detroit & Potomac railroad bonds, $90,000; Erie Company bank, $587,000; Binghampton bank, $58,200; Hiram Pratt, $35,600. (See table opp. p. 75, *Documentary Journal*, 1841-'02.)

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months. The receipts for the year fell far short of repair expenditures, and the bondholders saw this hope depart, as all others, without bringing any money.

The General Assembly of Indiana and many of the citizens were loud in their protestations of honesty, and there is no doubt public sentiment favored the ultimate payment of every dollar of the State debt. Governor Whitcomb said in his messages of 1844 and 1845, that the great mass of his fellow citizens were willing and anxious to meet all their obligations. That with them it was not a matter of inclination, but one of ability.[68] That some arrangement would be made with their creditors and the tarnished reputation of their State restored, he would not permit himself to doubt.

By a joint resolution January 13, 1845, the General Assembly solemnly expressed its opinion on repudiation: "We regard the slightest breach of plighted faith, public or private, as an evidence of a want of that moral principle upon which all obligations depend: that when any State in this Union shall refuse to recognize her great seal as the sufficient evidence of her obligation she will have forfeited her station in the sisterhood of States and will no longer be worthy of their respect and confidence." The governor was directed to transmit copies of this resolution to all the States.[69]

In speaking of all these fulsome protestations, State

[68] *House Journal*, 1845, 19.

[69] *Laws of Indiana*, 1844, 92. On the other hand, in this same message, page 18, the Governor says: "The opinion has hitherto been nearly, if not quite, universally held among our citizens, as well as others acquainted with our conditions and resources, that it is beyond the power of our state, at present, to fully meet our obligations. Even the plan submitted at our last session of the Senate, virtually made that concession by proposing to convert our bonds, bearing five per cent. interest into stock bearing only three. No plan that has been mooted for a resumption of payment, even the most stringent, has contemplated a full and immediate payment."

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Auditor Horatio J. Harris said: "It would be fortunate for the reputation of the State as well as gratifying to her creditors should this evidence consist hereafter of some definite action, rather than general expressions of legislative opinions." Not one of these demagogues who harangued about State honor ever showed enough courage to vote a measure to retrieve the State's honor. They feared the sullen resentment of the outraged citizen voters who felt that somehow the State had been swindled and that it did not justly owe the debt.

Relying on this sentiment, widely and loudly expressed, and still hopeful of getting their money, the bondholders banded together and hired Charles Butler, an attorney of New York, to look after their claims. After visiting Michigan on a like mission, he reached Indiana in the summer of 1845.[70] His plan was to rally the anti-repudiation sentiment by means of a series of public addresses. He recognized it as useless to demand an immediate and unconditional payment of the bonds. The resources of the State and the condition of the currency, demoralized by floods of treasury notes, bank scrip, "white dog," "blue dog," and "blue pup," all depreciated from forty to sixty per cent, were such that it is doubtful if this could have been done. He began then by flattering the people on the Wabash with the hopes of finishing that canal to the Ohio river. Whether he believed the canal, so improved, would be a paying property, or whether he wished merely to revive the courage of the people, is not known. In the face of the facts as he knew them, the latter seems to have been his intention, hoping in the future to get the State to pay the bonds in full and take charge of the finished canal.

He began his campaign at Terre Haute, where in an address in May, 1845, he proposed to divide the

[70] *Indiana Democrat*, Dec., 1845.

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interest on the State debt into two parts, one of which should be paid by the State, the other from the revenues of the canal. These views were transmitted to the General Assembly in a memorial. The question of the settlement of the debt had some influence on the fall elections, but not so much as was hoped. There was a general restlessness among the people, under the charges of repudiation then being made against the State, but no sweeping sentiment for full payment could be aroused.

It was arranged to have Mr. Butler meet a joint committee of the General Assembly, as it was understood he had a specific proposition to make. On December 19, Mr. Butler met the committee and submitted his plan as follows: First, For arrears of interest, the State should give certificates payable by 1851; or if not paid then, to be funded into five per cent stocks. Second, The State should pay, by taxation, three per cent interest on the debt up to 1851. Third, All arrears of interest up to 1851 to be funded at five per cent. After 1851, three per cent interest to be paid promptly by tax and two per cent from tolls of the canal. It was understood that the State was to finish the canal to the Ohio river.[71]

In a message, December 27, 1845, the governor urged the General Assembly to accept Butler's proposition. It would place the credit of the State on a certain basis; it would aid returning prosperity; and it would turn the tide of settlement to our State again, thought the governor.[72]

It did not take the joint committee long to come to an agreement. On Christmas day it notified Mr. Butler that it could not accede to his demands and inquired if he had anything better to propose. The attitude of the

[71] *Indiana Democrat*, Dec. 23, 1845. Also *Documentary Journal*, 1845, pt. II, No. 21.

[72] *Documentary Journal*, 1845, No. 8, 18.

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committee was not at all creditable. They seemed to be negotiating for a bargain with their own creditors rather than trying to uphold the honor of the State.

The next day Butler was again before the committee and made what is known as his second proposition. It differed very little from the first. Elaborate tables were submitted showing how the State could meet all its obligations. One could not fail to agree with Butler, that the State was able to meet all its obligations honorably, except for two reasons. These were, first, the demoralized condition of the currency, and second, the leadership of a clique of oily politicians. Neither of these reasons is creditable to the State. A State levy of 70 cents would have paid principal and interest. Ohio was meeting her debt in that way. Indiana would have done no less had her General Assembly risen to the occasion.

A bill was finally drawn along the lines of Butler's propositions and introduced in the Senate by Joseph Lane[73]—the same man who had declared he would cut cordwood to pay his part of the debt. The measure engrossed the attention of the Assembly completely. The House was Democratic, the Senate, Whig. There was little straightforward policy manifested in either branch. Both parties finally agreed to postpone action on the bill till after the party conventions on January 9. Even after both parties in convention had endorsed the Butler bill, the Democrats in caucus decided to refer the whole matter to the people in the August elections. The governor and leaders of the party succeeded in breaking the Democratic caucus, and, January 19, 1846, Governor James Whitcomb attached his signature to the bill.

General satisfaction was manifested throughout the State at what was felt to be a final adjustment of the State debt. Butler left for New York, February

[73] *Indiana Democrat*, Jan. 6, 1846.

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20, and the New York papers generally expressed approval of the settlement.[74] The long law of thirty-five sections was very carelessly drawn, and was soon found to be impossible of execution.[75] The bondholders had lost enough money without investing the $2,225,000 called for under the law. No bonds were surrendered under it.

When the General Assembly convened again in December, 1846, Mr. Butler was on the ground demanding some amendments. A bill purporting to be an amendment was drawn, and after a long struggle received the governor's approval January 27, 1847.[76] The new bill was founded on the option contained in the thirty-second section of the previous law. Its general effect was to divide the outstanding bonds of the State, except those known as the Bank bonds, into two equal parts. One of these parts, with its accumulated inter-

[74] *Indiana Democrat*, April 14, 1846.

[75] It provided that the bonded debt should be refunded entirely. The old five per cent bonds were to be surrendered and in their stead new State registered stocks created. First, there should be issued State two and one-half per cent twenty-year registered bonds equal in amount to the face of the old bonds. Second, the arrears of interest should be funded, at the rate of two and one-half per cent from 1841 to 1847, inclusive, in like bonds as the principal. The State agreed to pay interest on the above bonds at the rate of two per cent if a State tax levy of 25 cents on the $100 and a poll tax of 75 cents should furnish sufficient funds after the ordinary State expenses were paid. The remaining one-half per cent and any arrears by reason of the failure of the above tax levy to bring in sufficient revenue were to be funded or paid as the State should choose January 1, 1853. For the payment of the remaining two and one-half per cent of annual interest the bondholders were to look entirely to the Wabash and Erie canal. In order that the canal might be more productive, the bondholders were given permission to raise a sum of not less than $2,225,000 to complete the canal to the Ohio river. The canal was to be placed in trust by the State, and its earnings and land grants set aside and pledged to the payment of the bondholders. These last loans were not to become a debt chargeable against the State, though in this law the State remained pledged to pay the principal of the entire State debt.

[76] *Laws of Indiana*, 1846, ch. 1. Elbert J. Benton (*Wabash*

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est, was assumed by the State, and the other was made a debt on the canal for which the State assumed no further responsibility. The canal was deeded to the bondholders and they were forced to accept the compromise.[77]

The outstanding bonded debt of the State, July 1, 1847, was $11,048,000.[78] These bonds were held in New York and London and the debt was always referred to as the foreign debt, in distinction from the State scrip and treasury notes, which were called the domestic or floating debt. The interest on the bonds had not been paid for six years, and the arrears added to the principal brought the total foreign debt up to $13,120,692.

If Indiana can be charged with repudiation, it must be done on account of this law of 1847. No one will for a moment contend that the bondholders would have preferred the arrangement of 1847 to the payment of the bonds according to their tenor. The bonds at this time were never quoted higher than thirty cents on the dollar. Yet they were not depreciated more than the debt which the United States paid in 1789. Even at thirty cents, men like John Jacob Astor and the elder

*Trade Route*, 73) calls this bill a "few minor modifications," and leaves the impression that there was no opposition worth considering. In fact, the fight on this was longer and more acrid than on the other.

[77] The conditions of the compromise close with the following notice to the bondholders: "The State will make no provision hereafter to pay either principal or interest on any internal improvement bonds until the holder shall first have surrendered such bonds to the agent of the State and shall have received in lieu thereof certificates of stock as provided in the first section of this act. Anything in this act to the contrary notwithstanding." This proviso makes the law of 1847 very different from the harmless one of 1846. It must also be kept in mind that the provisions of this law are not the same as those laid down in Butler's first or second proposals.

[78] *Documentary Journal*, 1847, 102. Report of Agent of State.

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Belmont bought Indiana bonds and exchanged them for the new five per cent stocks, and made a good profit. Two facts stand out prominently. The State made a bargain with its creditors, and its creditors lost half their investment money. Two parties were deeply wronged: the persons who had invested their earnings in State bonds expecting to enjoy in their old age the comforts of a certain income;[79] and the citizens of Indiana who had entrusted their credit and honor to their government, and had been robbed of both. For it cannot be denied that the reputation of Indiana suffered greatly in this transaction. Nearly all the Indiana bonds then outstanding had been taken out of the State's hands wrongfully by being sold on credit in the face of a law to the contrary. More than one-third of the bonds had been secured from the State in the first instance by criminal collusion, the agent of the State being at the same time a member of the firm of brokers who took the bonds, sold them, and failed to pay the State the proceeds. The State of Michigan was similarly swindled, and promptly repudiated the bonds so obtained. This step was seriously considered in the Indiana legislature during the session of 1845-'46, and might have been done but for the opinion of the State agent, Michael G. Bright, who advised the General Assembly against it. The correspondence of the governor for years afterward contains evidences of the bitterness of the bondholders on this subject.

## § 71 Finishing the Wabash and Erie Canal

The act of January 28, 1842, as indicated above, left the Wabash and Erie east of Lafayette in the hands

[79] *Documentary Journal*, 1845, pt. II, 273. A memorial from the New York Savings Bank. This pictures some of the suffering caused by the State's failure to pay its interest promptly. See also letters from foreign creditors to Governor Whitcomb, *Indianapolis Sentinel*, June 17, 1842. See also *Documentary Journal*, 1844, pt. I, No. 5.

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of a commissioner selected by the General Assembly. An act of January 1, 1842, had already provided for building the canal on down to Terre Haute. The commissioner was directed to let contracts for as much of it every session as could be paid for with available funds. To expedite matters as much as possible, canal scrip was to be issued. This scrip was made receivable at the canal land offices in payment for the lands donated under act of Congress March 2, 1827, and confirmed by act of February, 1841. By a later act this scrip was made receivable for all tolls, water rents, and other dues to the canal. As the canal crept slowly southward more lands were made available, under the grant of 1827. Work proceeded slowly. Tolls failed to do more than pay for repairs.[80] Superintendent E. F. Lucas reported receipts from land during the year 1844, as $85,855; tolls and rents, $58,212; expenses, $94,466. It is reported that a single flood caused most of this extraordinary expense. In spite of all obstacles the canal was pushed steadily downward to Terre Haute. For 1845, the tolls were $95,473; income from land sales, $108,943; while the expense for repairs was $106,344.[81] During this season the canal was short of water a great part of the time. This was to be supplied partly by the feeder at Northport.[82] Business was reviving rapidly and there was every indication of prosperity in the transportation business. But the rotten condition of the wooden aqueducts and the inadequate supply of water from the feeders did not promise so well for the canal. In 1844, the canal had

[80] Commissioner's Report, *Documentary Journal*, 1843.

[81] *Documentary Journal*, 1845, No. 17.

[82] An excellent description of the work at Northport was furnished the writer by Miss Anna Caseley, of the Kendallville High School. Her paper (*History of Sylvan Lake and Vicinity*) ought to be published. The Northport reservoir was at Rome City, Noble county.

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been placed under a single superintendent for its whole length.

A considerable export trade was growing up. Docks, warehouses, and elevators were springing up over night at Logansport, Attica, Peru, Lafayette, Huntington, Lagro, Pittsburg, Lockport, Wabash, Fort Wayne, and Montezuma, not to mention a score of lesser towns long since disappeared and forgotten. All kinds of craft swarmed on the canal.

July 2, 1845, the surveyor, R. H. Fontleroy, was ordered by Governor Whitcomb to finish surveying the canal down to Evansville. He accordingly began the survey at the summit of the Eel River canal. To get water at this place was the most troublesome problem on the whole line from Lake Erie to the Ohio. A feeder was planned at Rawley's mill. Next, it was decided to dam Splunge creek. This would require an embankment one mile long and fifteen feet high. This dam was made twenty feet wide on top so that it could be used as a wagon road. The reservoir thus formed would cover 3,900 acres and hold one billion cubic feet of water. A second reservoir was planned and surveyed high up Eel river, near Monrovia, in Morgan county. The Monrovia reservoir was to cover 3,500 acres. From Rawley's Mill the canal survey was continued down the bank of Eel river. This was the third canal site that had been laid down along this river. At Point Commerce it connected with the Central survey down White river.[83] The canal crossed White river at Newberry, skirting the eastern edge of the White River valley, crossed Daviess county, touching Maysville, crossed Driftwood on an aqueduct one mile from its mouth, and left White river and passed by way of Petersburg, Pigeon Summit and Pigeon creek to Evansville.

This was the work undertaken by the bondholders

[83] *Documentary Journal*, 1845, No. 17, 2.

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under the Butler bill. The surveyor placed the total cost at $2,502,813, of which $966,544 had already been expended. The canal was in operation by 1847, as far down as Coal creek near Cayuga, thirty-six miles above Terre Haute. The water was insufficient below Lafayette and feeders had to be constructed, one at St. Mary's and another eight miles west of Logansport at Crooked creek. The whole canal from Lake Erie to the Ohio was 458 miles long. The board hoped to have the whole line to Evansville under construction by 1850.[84] During the year 1848 there were 189 miles of canal in use, extending from Coal creek to the Ohio State line. Ninety-six miles of construction were under contract, and 1,780 men were at work, scattered from Coal creek to Patoka Summit. Three hundred and forty-two thousand dollars were expended for construction, and $35,000 for repairs. Tolls had risen to $146,148.

The work was not successful during 1849, although the board began in the spring with more than ordinary vigor. A flood during the winter caused $31,600 damage on the Eel River section. Contracts were let at Washington, Daviess county, June 27, 1849, for the section from Newberry to Maysville—twenty-three miles—for $160,000. The construction from Maysville to Petersburg—twenty miles—was placed under contract at Petersburg, November 14, for $278,000. The canal was opened to commerce from the Ohio line to Lodi. But the prosperity of the early part of the season was not to last. Cholera broke out in several places along the canal, especially at Toledo and Lafayette, and the plague affected the canal in every direction. It stopped the sale of land, it cut the tolls to $135,000, $11,000 below the previous year, although a long stretch of canal was opened for the first time, it demoralized the construction gangs, and, finally, it killed trustee Thomas

[84] *Documentary Journal*, 1847, pt. II, No. 6.

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H. Blake at Cincinnati as he was returning from Washington, D. C., on business for the canal.[85]

For the season of 1850 the canal opened, March 18, and closed December 8—261 days. During this time there was no interruption. The long delayed hopes of the promoters seemed at last about to be realized. Boats arrived at Lodi, October 25, 1849; they passed the Eel River division to Point Commerce and Washington, June 7, 1850. This latter point is seventy-nine miles from Coal Creek, 268 miles from the State line, and 352 miles from Toledo. The last section, from Petersburg to Evansville, was placed under contract, September 6, 1850, and was to be completed in 1852. This year the cholera broke out among the workmen and killed 150 men. A panic set in and the fleeing workmen carried the plague all over the country. The tolls this year ran up to $157,158, a gain of $22,500.

The whole canal was closed for a full month during the season of 1851, on account of floods. Notwithstanding this, the tolls increased $22,000. The work was received from the contractors down to the White river crossing at Newberry, 281 miles from the State line. One thousand two hundred men were at work during the season. The trustees ordered the part of the canal in Evansville to be made sixty feet wide in order to form a local harbor. The annual report shows $58,549 for repairs, and that $65,000 had been expended for bridges, of which there were 150 over the canal.[86] Many of these that had been built earlier were rotten and many complaints on this account found their way into court. Seven of these suits were carried into the State supreme court. The canal trustees were slow in adjusting damages, and an act of February 13, 1851, directed that injured parties should file their com-

[85] Governor Wright, Message of 1850, in *House Journal*. See also *Documentary Journal*, 1849, pt. II, No. 11.

[86] *Documentary Journal*, 1851, pt. I, No. 7.

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plaints with the canal board, and if no relief was secured in ninety days they should file suit in the circuit court.[87] A law similar to the one mentioned above gave authority to road supervisors to institute suit to compel the canal board to rebuild rotten bridges.[88] The citizens of Williamsport tried by mandamus suit to force the board to build a lateral canal over to that town, and, failing in their suit, they dug one themselves and forcibly connected it with the main canal. This left the main canal almost dry for some time.[89]

The water was let into the Maysville division in June, 1852. Laden boats then made the trip all the way from Toledo to Maysville, 392 miles. At a meeting held in May, 1852, it was agreed to lower all tolls and tariffs on the canal forty per cent. After this reduction the total receipts still rose to $193,400, a gain of $14,000. This was the high-water mark for toll on the Wabash and Erie. This is the more significant because it came before the whole canal was opened. The work was about done to Petersburg, and $262,281 had been expended on the Evansville division, showing that it, too, was well-nigh completed. There was transported on the canal this year 2,300,000 bushels of corn, 1,606,000 bushels of wheat, and 88,000 barrels of salt. The expenses of operation this year were $67,237.[90] Deducting this from the gross tolls, there remained $126,163 as the net returns of the canal at its best. This would pay five per cent on two and one-half millions. While this does not look very favorable to us, yet in the steadily increasing tolls one can see some grounds for the hope that with a terminal on the Ohio river tolls would increase enough so that the whole canal would become dividend-paying.

[87] *Laws of Indiana*, 1851.
[88] *Laws of Indiana*, 1852.
[89] *Documentary Journal*, 1854, No. 21.
[90] *Documentary Journal*, 1852, pt. II, No. 7.

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While the outlook in this direction was encouraging to the canal builders, the outlook in other directions was extremely gloomy. Complaints, honest and dishonest, ending in lawsuits, multiplied all along the canal. Floods tied up navigation for days, weeks, or even months. Fleets of boats were grounded for weeks at a time in shallow water, or by breaks in the embankments, while their cargoes of farm products, sometimes live animals, depreciated or became utterly worthless. At best there was traffic during only eight months of the year. The Evansville and Terre Haute railroad was already under construction, and the Fort Wayne and Covington (Wabash Valley), and the Crawfordsville and Vincennes had been organized. These, it will be noticed, paralleled the canal throughout its length.[91] The tolls for 1853 dropped to $181,207, due to poor crops. A great deal of trouble was had with the banks along the deep cut south of Petersburg. A flood in White river destroyed all the aqueducts from Point Commerce to Newberry and piled the drift high against the big aqueduct at that place. The citizens, thinking the extreme high water due to the big aqueduct, indicted the trustees for maintaining a nuisance; but the legislature stopped the prosecution.[92] All the locks, gates, dams, towpaths, and bridges were reported rotten and giving away.

The Birch Creek reservoir was built during this year. It covered about six square miles, and the inhabitants of the district regarded it as a fruitful source of malaria. The general Assembly had it investigated in 1854 and it was reported quite healthful.[93] A mob of armed men blackened their faces and cut the dam at midday, May 10, 1855. This left the whole of the Eel River section dry. The loss on the dam was over

[91] *Documentary Journal*, 1852, pt. II, No. 7
[92] *Laws of Indiana*, 1853, March 4.
[93] *History of Clay County*, Index.

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$10,000. Governor Wright sent the militia from Evansville under General Dodds and Captain Denby to protect the work. They found everything quiet and spent the season hunting, fishing, and playing cards with the settlers. The next day after the soldiers left, the dam was again leveled. Many men were arrested, but were promptly released by the local magistrates.[94] This trouble was never settled, and this division of the canal was rendered useless by the lawlessness of the people of that neighborhood. The reservoirs were swamps full of the natural growth of the forest, and in summer became stagnant frog ponds.

By the year 1856 it was manifest to all that the canal was doomed. The tolls dropped to $113,000 and expenses for repairs rose to $106,000. The whole section from Terre Haute to Evansville was rendered useless on account of the destruction of the Birch creek reservoir. Again the board of trustees reduced the toll rates on the canal. This failed to hold the trade. All the lighter articles of commerce were shipped by rail.[95] Fortunately for the State, the scrip issued to finance the canal was about all redeemed. Over $1,200,000 had been issued and all was now in except $15,000. The State was thus free of all obligations to it.[96]

The report of 1857 left no question of the future of the canal. The tolls were $60,000 for the whole line. There was no regular navigation, no through traffic, as had been hoped. South of Terre Haute the tolls were $8,000 and repair expenses $40,000. The repairs for the whole line amounted to $115,000. The St. Joseph river broke around the feeder dam and it required $7,500 to repair the breach.[97] A series of local floods in the Wabash valley during the summer of 1858 did

[94] *Documentary Journal*, 1855, pt. II, No. 3.
[95] *Documentary Journal*, 1856, pt. II, No. 6, Trustees' Report.
[96] *Ibid.*, pt. I, No. 3, State Auditor's Report.
[97] *Documentary Journal*, 1857, pt. II, No. 4.

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heavy damage. Wild Cat, Wea, Coal creek, Spring creek, and Otter creek overflowed and carried away their aqueducts. The Wabash broke over its banks in Terre Haute and destroyed forty-six rods of canal. The entire damage was $55,000. Navigation was suspended from June 10 to August 26. The annual expenses of the canal, $181,000, exceeded tolls and land sales combined by $60,000. The stockholders ordered the trustees to close any part of the canal not paying expenses. The part from Terre Haute to Evansville was at once closed.[98] After the canal board, in January, 1859, ordered all officers to quit, only a few local engineers, at reduced salaries, remained in service. In this year, a bondholder, named John Ferguson, secured an injunction from Justice McLean preventing the use of any money, except tolls, for making repairs. The canal was then divided into three sections which were let to persons who would keep the canal in repair for its use.[99] The south section from Terre Haute to Evansville was not kept repaired at all. The Birch Creek reservoir was cut for the last time. The first breach in the long fill across Daviess county was left unfixed. Navigation was finally abandoned south of Terre Haute in 1860, although a few miles in Vanderburgh county remained open a year longer. Two men, Miller and Hedges, undertook to keep the line open from the Eel river dam to Terre Haute and with the aid of a gift of $1,000 from the city succeeded for a short time. The part from Terre Haute to Toledo remained open during the year. The Wabash railroad began a rate war at this time and soon attracted all trade from the canal. The railroad did this by a free use of rebates. By 1870 little more than a succession of stagnant pools marked the site of the former canal. A law of February 14, 1873, permitted the county com-

[98] *Documentary Journal*, 1858, pt. I, No. 3.
[99] *Documentary Journal*, 1859, pt. I, No. 3.

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missioners to keep local sections of the canal in repair, but only a few temporary repairs were made. The trustees formally surrendered their trust in 1874. They had paid $436,545 for repairs and had received $274,-019 in tolls.[100]

A decree was obtained in 1874 under which the canal was sold, February 12, 1876. There was realized from this sale $96,260. All told, the bondholders received about forty per cent of the $800,000 which they had advanced for the completion of the canal.

The bondholders were not entirely silenced by the joint resolution of the General Assembly of 1857. Fearing that a future General Assembly might be induced to pay the debt, or some part of it, the General Assembly of 1871 submitted a constitutional amendment to the voters providing that "No law or resolution shall ever be passed by the General Assembly of the State of Indiana that shall recognize any liability of this State to pay or redeem any certificate of stock issued in pursuance" of the settlement of 1847. This was agreed to by the next General Assembly and submitted to the voters.[101] By proclamation of the governor this was voted on February 18, 1873. The voters took little interest in the election. Indianapolis cast 2,679 votes for and 14 against the amendment. Evansville's vote favored it by 1,365 to 12; Terre Haute, 1,502 for, and 1,520 against; Fort Wayne, 950 for, 12 against. The amendment was carried and the question settled. Thus closed the story of the old Wabash and Erie. The State and bondholders had expended all told, $8,259,244. They had received from land and tolls, $5,477,238. A magnificent land grant by the federal government had been squandered. The total amount of land donated was 1,457,366 acres, or 2,277 sections; an area equal

[100] Twenty-eighth Annual Report, 1874, *Documentary Journal*, No. 14.

[101] *Laws of Indiana*, 1873, 83.

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to the five largest counties or the ten smallest.[102]. This was twice as much as the whole donation for the common schools.[103]

[102] Donaldson, *Public Domain*, 755.

[103] *American Almanac*, 1857, 323, gives a brief summary of State and canal debts.

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## CHAPTER XVII

### THE SECOND STATE BANK OF INDIANA, 1834-1857

### § 72 CHARTERING THE BANK, 1834

THE second period in Indiana banking began with the charter of a new State bank in 1834.[1] The agitation for a State bank began as soon as the election of 1832 settled the fate of the Second bank of the United States. The State bank of 1834 was the heir in Indiana of this United States bank whose charter expired in 1836. It was favored and upheld by the Clay party in the State. Why the voters of the State always supported Jackson, and at the same time favored the United States bank, a high tariff, and internal improvements is one of the unexplained facts of Indiana politics of this period. A State bank was not, however, an issue in the State election of 1832. After it was ascertained that Clay was defeated and that the Second bank of the United States would not be rechartered, speculation began as to what would take its place.

Soon after the October election in 1832, a movement was started to reorganize the old Farmers and Mechanics' bank of Madison, Indiana. This bank had always borne a good reputation, and the character of its officers assured it a good standing among business men.[2] John Sering was a member of its board of

[1] Dewey (*State Banking Before the Civil War*, 43), says this was an extension of the earlier charter. This is an error. The charter of the earlier bank was annulled in 1822 by the Knox county, Indiana, circuit court. The first State bank is treated in chapter X, above.

[2] These were Victor King, president; John Vawter, John Sering, John Woodburn, and Milton Stapp, directors; J. F. D. Lanier, cashier. *Indiana Democrat*, Oct. 13, 1832.

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directors and J. F. D. Lanier was its cashier. A new set of banknote plates was struck, and every arrangement made to take the tide of opportunity at its flood. There was in Indiana no branch of the Second bank of the United States; nevertheless its currency and power reached and controlled the State through the branches at Cincinnati and Louisville.

Early in the session of 1832, a bill for a State bank charter was introduced in the Indiana General Assembly. The report on this bill by the senate committee, of which John Ewing[3] was chairman, is the best exposition of the various views of the legislature on the subject of banking. In this report, which was dated January 1, 1833, Mr. Ewing suggested five plans by which a circulating medium for Indiana might be secured:

First, The General Assembly might memorialize the Congress of the United States to recharter a national bank. Second, Congress might be induced to issue a national currency and apportion it among the States according to population. Third, The General Assembly might issue a State currency predicated upon the proceeds of canals, school lands, the Michigan road, and salt springs, and managed by a board of commissioners. Fourth, The General Assembly might order an issue of treasury notes bearing five per cent interest. Fifth, The General Assembly might organize a partnership bank—State and people.

The first State bank of Indiana had almost destroyed credit, endangered the validity of contracts, and so lessened the confidence of man in man that ordinary business was seriously deranged. Moreover, it had injured the credit of the State, and had given to its citizens a weakened reputation for financial integrity.

[3] John Ewing was born in Ireland; came to Vincennes and engaged in mercantile pursuits; represented his county in the House in 1819 and in the Senate from 1825 to 1835, and from 1842 to 1844. He also served in the twenty-third and twenty-fifth Congresses.

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Mr. Ewing thought it the duty of the State to guard against the repetition of such a calamity, and oppose every possible bar to such an issue of "Owl Creek" currency. Finally, he said, the committee believed a national paper currency preferable to any State emissions. A national bank was thought better than a State bank on account of its wider power, its national affiliation, and its greater uniformity.[4]

In general, the members of the committee agreed with Mr. Ewing. They favored a national bank with State branches, State controlled; and recommended that Indiana organize a branch, and by issuing State five per cent bonds buy $800,000 of this national currency. Out of the dividends, they estimated, the five per cent on the loan could be paid, and the surplus would go far toward the establishment of free primary schools throughout the State.

At the same time there was a bill before the Senate to charter a co-partnership bank with nine branches.[5] If any branch failed to pay six per cent it was to be closed. The State was to take one-half of the stock, which was to be non-taxable, and the charter was to run twenty-seven years. Another bill for chartering State banks had been introduced and passed in the House. There were at this time three bank bills before the General Assembly. The Committee Bill was not discussed.

There was a long, earnest, and sometimes angry discussion of these measures. Some members favored a free banking law; others favored none at all, believing nothing but "hard money" should circulate. A large majority, however, favored a State bank but could not agree on a charter. A motion to postpone action till the following session prevailed in the Senate

[4] This report is given in the *Indiana Journal*, Jan. 2, 1833. This paper was the organ of the Whigs.

[5] *Indiana Journal*, Jan. 5, 1833.

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by a vote of 14 to 13. The Jackson men, seemingly, were as much dejected by the defeat as the Clay men.[6]

The general necessity of a bank was conceded. There was some objection to enacting a State monopoly, and the experience with the old State bank made men hesitate to charter another like it. But on the whole the people were strongly in favor of a State bank and were deeply disappointed at the failure of the Senate to enact a charter.

The bank question contested with that of internal improvements for the chief place in the campaign of

[6] The three bills are worthy of attention as a reflection of the popular views on banking. The Committee Bill provided for the Bank of the State of Indiana, to be located at Indianapolis, with power vested in the first directors to establish five branches in whatever counties they thought best. The $1,600,000 capital was to be divided into shares of $50 each, and one-half was to be furnished by the State, the other half by individuals. Seven directors for the parent bank were to be elected annually by the General Assembly, who were to choose six directors for each branch. The individual stockholders were to elect six directors for the parent bank and seven each for the branches. Non-residents were not to vote in stockholders' meetings. Each director must own at least ten shares, and no one could sit as director in two branches. The stock was non-taxable; six per cent was made the legal rate of interest; the charter was to run twenty-seven years, and the State auditor and treasurer were to visit and inspect the bank and branches.

The House Bill resembled the senate bill very much. The capital stock was the same, and the location and number of branches were to be the same; unpaid stock, however, was to be secured by a mortgage, and stock could not be given as security on a loan. Each branch was a separate corporation; specie payment was necessary, but the branches were not mutually responsible. No municipal corporation could borrow over $5,000 and no State, or county officer could be a director in the bank. The profits were to go to education. As passed by the House, this bill provided for thirteen directors, five chosen by the General Assembly, and eight by the stockholders; and the minimum capital for each branch was to be $50,000, instead of $80,000. The Farrington or Senate Bill is printed in the *Indiana Journal*, Feb. 16, 1838; the House Bill in the issue of Feb. 23; and the Ewing or Committee Bill in the issue of March 9.

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1833.[7] The General Assembly that met in December, 1833, lost little time in getting together on a bank charter.[8] A bill was before the House for discussion on the 6th of January. It passed the House by a majority of 48 to 23; and the Senate by 18 to 11.

The provisions of this charter show that it was carefully drawn.[9] It has no trace of any interests contrary to the public welfare. The State was divided into ten districts as nearly equal as possible and the directors were to establish a branch in each district. The directors were given power to locate eleventh and twelfth branches as soon as the commercial situation seemed to demand it. The head office was to be at Indianapolis, but there was no parent bank. The branches were on an equality, and the Indianapolis branch was not to enjoy any prestige nor exert any undue influence over the other branches. This charter forbade the bank's dealing at all in real estate. The provision worked to the advantage of the bank, for the people had more faith in a bank that did not deal in real estate. It was to be a strictly specie-paying institution, and if at any time it refused to redeem its notes in specie it was to forfeit its charter, a provision which was later disregarded in a critical period of its life. This provision in its charter put it in a class with the best banks in our history, and clearly set it off from the "wildcat" brood then springing up in all the surrounding States.

The rate of discount was fixed at six per cent, and it was to issue no notes under five dollars; but this limitation was removed in 1841, after which the bank was allowed to issue notes as low as one dollar. The president was elected by the General Assembly for a term of five years at a salary of from $1,000 to $1,500.

[7] *Indiana Journal*, May 4, 1833.
[8] *Indiana Journal*, Jan. 1, 1834.
[9] *Laws of Indiana*, 1834, ch. vii.

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For the State bank the General Assembly chose four directors, and each branch one. These constituted what was known as the bank board. This board had full power over the branches, and could make examinations, personally, or require a report of any branch without a day's notice. The bank board in its turn made an annual report to the General Assembly. It appointed three directors yearly for each branch, and the stockholders chose from seven to ten more. The branch boards elected presidents and cashiers for the branches. None of the officers could hold State offices while on the bank boards; nor could any stockholder give his stock as security for a loan; nor could a president, cashier, or director, endorse for anyone or for each other.

The capital of the bank was placed at $1,600,000, later raised to $2,500,000 by an amendment adopted, March 1, 1836. One-half of the entire capital stock was subscribed by the State. Each branch was to have an equal part of the capital, i. e., $160,000, at first, and after the amendment of 1836, $250,000. The policy in organizing was to distribute the stock as widely as possible, and for this purpose the State arranged to lend money on real estate mortgages to subscribers of bank stock. To carry out this provision of the charter and pay for its own subscriptions the State borrowed in the East $1,300,000. The charter was to run twenty-five years, expiring, January 1, 1859.

One cannot fail to note the great care displayed in the charter to make the bank safe, and its circulation sound. All the arts known to "swindling bankers" were guarded against.[10] As indicated above, the notes were signed by the local cashier and the central president. There was mutual responsibility among the branches, but not a division of profits, each branch

[10] The reference is to a territorial law of 1815 in which private bankers are called "swindling bankers."

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retaining all it earned. The bank board might limit the loans of any branch to one and one-fourth times the paid in capital; and might call for reports monthly or oftener, or take control and close a branch permanently. It might take funds from one branch, when they were not being used, and transfer them to another in need of money. No branch might have more debts due it than twice its capital; later this limit was raised to two and one-half times. A subscriber had to pay $18.75 in cash on each $50 share. The State furnished the balance, $31.25, and took freehold security, double the value of the loan. The loans to subscribers were to run from twenty to thirty years. All money earned by the State stock, above the five per cent interest on the bonds, was to go into the hands of the commissioners of the sinking fund, by whom it was to be lent on freehold security.

### § 73 Organization and Policy of the Bank

It was impossible at this time to concentrate the trade of Indiana in one center as was done in Ohio at Cincinnati, in Kentucky at Louisville, and in New York at New York City.[11] The Whitewater valley traded to Cincinnati. The trade of the southern part of the State flowed to the Ohio, but one could not say whether Madison, New Albany, or Evansville would secure the larger portion. New Orleans was the final market, and boatmen shipped indifferently from a dozen river-board ports—Vevay, Jeffersonville, Leavenworth, and Troy sharing the trade with their larger rivals.[12] Back from the river small centers of population and business, and especially of politics, were growing up at Brookville, Lexington, Charlestown, Salem, Bedford, Bono, Paoli, and Princeton. Vincennes, Terre Haute, Lafayette, and Logansport were the Wabash towns. Craw-

[11] *Indiana Journal*, Feb. 22, 1834.

[12] Lanier, *Sketch of Life of J. F. D. Lanier*, 17.

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fordsville, the "town in the big flat woods," was the greatest land market in the United States. There was little commerce at this time at Indianapolis, while Muncietown, Andersontown, Delphi, Peru, and Wabash were blooming out from struggling villages into pretentious county seats. Seven out of ten towns chosen as locations of the branches of the bank were on the borders of the State; only six of the ten contained over two thousand people each. The population of the State was about 500,000. There were about 900 merchants resident in the State, and perhaps an equal number of non-resident traders operating on the Ohio and Wabash.

On the Ohio river the busy pork-packing season was in November and December.[13] Drovers traveled through the neighboring counties and bought up large droves of hogs. These were butchered on the river-board as soon as cold weather set in. The products were shipped to New Orleans in the early winter before the ice blocked the Ohio. Thus there was a good demand for money in that section in the fall. The produce of the Wabash was gathered in on flat-boats from the smaller streams. The boatmen had to wait for the thaw in the spring, when the ice was gone, and there was plenty of water. This required capital in February and March, and the produce was realized on by June 1.[14] What little lake trade there was came in midsummer. At this time the farmers of the interior were buying up hogs and cattle to fatten for the fall market.

On January 30, the General Assembly chose Samuel Merrill, pension agent for the State, president of the bank for a term of five years. By May 10, all stock in the Indianapolis and Lawrenceburg branches was

[13] *Indiana Journal*, Feb. 22, 1834.

[14] Wm. F. Harding, "The State Bank of Indiana," a thirty-six page article in the *Journal of Political Economy*, Dec., 1895.

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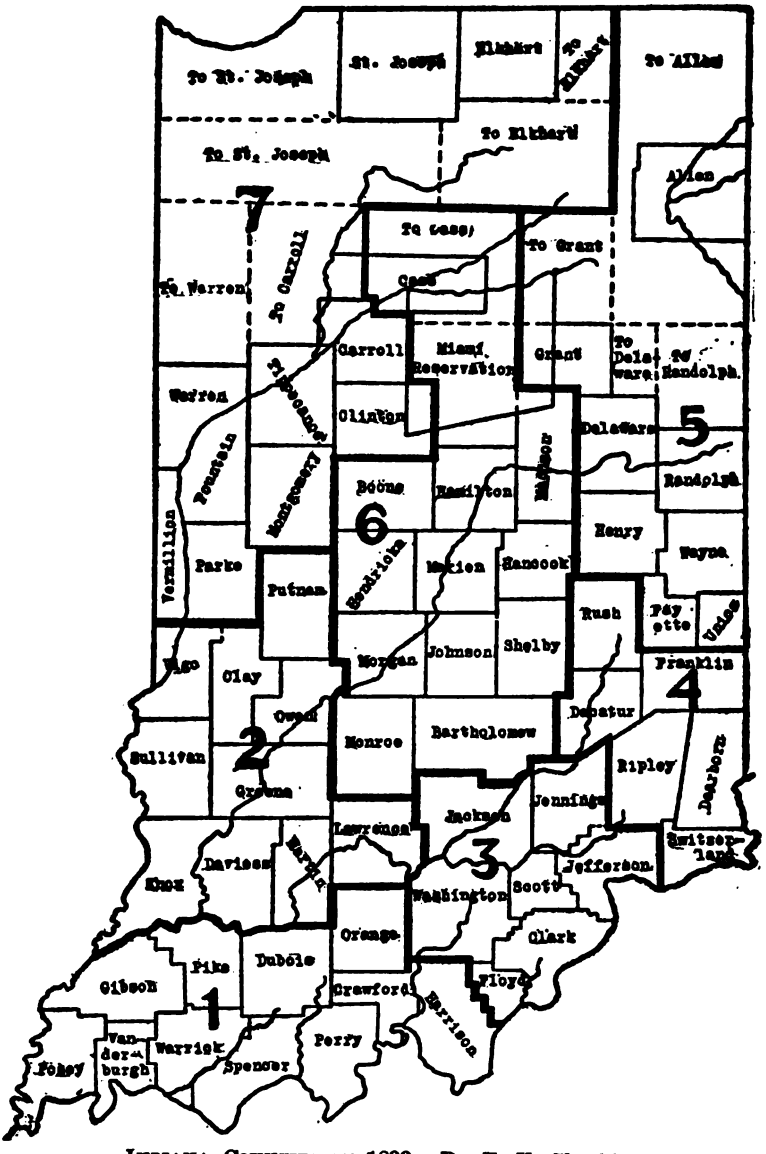


INDIANA COUNTIES IN 1833. By E. V. Shockley

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taken, and a meeting of directors was called for May 20, at which time all the branches had made returns showing full subscriptions. At a previous meeting of the bank board, February 13, the branches had been located.[15] A loan of a half million dollars was effected by the loan agents of the State, the fund commissioners, August 6, and Governor Noah Noble set November 19 as the day for the bank to open its doors for business. The total cost of organization had been $614.45, and this amount was more than offset by the premium received on the bonds issued.

The bank was prosperous from the start.[16] Men had subscribed for stock deliberately and there was little evidence of speculation. Taken as a whole its officers were beyond criticism. The Whig party controlled the State and kept Samuel Merrill at the head of the bank till 1843. Then his place was taken by a worthy successor, Judge James Morrison, who held office till 1853, when he was succeeded by Ebenezer Dumont. These men, by the policy they established, placed the bank on a firm foundation in the confidence of the people.[17]

## § 74 THE PANIC OF 1837

THE bank passed through two severe trials. The first of these grew out of the internal improvement activity which began in 1836. While both the bank

[15] *Indiana Journal*, Feb. 22, 1834. Also *Journal of the Indiana State Senate*, 1834, 59. Also *Bank Reports*, I, p. 1. The annual reports were made by the cashier of the State Bank, to the legislature, and were due in November. J. M. Ray was cashier during the entire life of the bank. The branches were located as follows: The first at Indianapolis, second at Lawrenceburg, third at Richmond, fourth at Madison, fifth at New Albany, sixth at Evansville, seventh at Vincennes, eighth at Bedford, ninth at Terre Haute, tenth at Lafayette, eleventh at Fort Wayne, twelfth at South Bend, thirteenth at Michigan City.

[16] *Bank Reports*, II (1835), 1 ff.

[17] Harding, "The State Bank of Indiana," 12.

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and the internal improvements were closely allied ventures of the State, their affairs were kept separate as far as possible. The improvement officials kept their funds in the bank and frequently overdrew their accounts. When the State failed in its payments, in 1839, the bank was involved by one of these overdrafts to the amount of $650,000, which seriously crippled it. In 1836 the fund commissioners of the State had been authorized to sell bonds and procure for the bank $1,000,000 more of capital, but through dealings with a corrupt bankrupt concern in New York all was lost but $20,000. There was a great demand at the time for loans and, depending on the extra capital, the bank had discounted heavily. The failure to secure the extra capital, coupled with the failure of the State, came near breaking the bank, and caused several branches to stop discounting for the time and call in all their loans. The State came to its aid in 1840 and issued bank scrip to the amount of $722,640, which it gave the bank to pay the overdraft.

The second trial of the bank's strength came in the Panic of 1837. Its deposits had risen rapidly from the start. The United States deposit was $1,062,238 in 1835, and the next year it rose to $2,267,489. In 1837, however, the United States deposit dropped sharply to $576,277 and disappeared entirely by 1840. President Jackson's specie circular of July 6, 1836, also helped to weaken the bank at this period by forcing the government land offices to refuse all kinds of bank notes. Its "quick" liabilities, November 26, 1836, were: public deposits, $2,276,357; individual deposits, $431,703; notes in circulation, $1,927,050; capital stock, $1,585,481; assets, specie, not given but about $1,000,000; discounts, $3,176,613; currency, $1,204,737.

It was well that the three years of experience had taught the people the value of the bank. The stages

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which reached Indianapolis on Thursday evening, May 20, 1837, from Lawrenceburg and Madison, brought the news that all the eastern banks, including the old Bank of the United States, had suspended specie payment. The news was as sudden as it was unexpected. The situation was grave. If the bank suspended specie payment it would forfeit its charter. If it did not suspend, it would be broken and thus ruin the business of the State. The bank board was fortunately in session, and, in spite of the law, immediately ordered all branches to stop paying specie.[18] The most dangerous creditor of the bank was the national government, which had $1,500,000 in specie on deposit. Mr. Lanier was posted off at once with $80,000 in gold to see what terms could be made with Secretary of the Treasury Woodbury. Lanier went by boat to Wheeling, thence by stage to Frederick, thence by the Baltimore & Ohio railroad to Washington. His mission was entirely successful. Of all the banks then possessing government deposits, the Indiana bank was the only one that offered, or paid any specie. The secretary allowed the deposit to remain till drawn in the regular course of business.[19] It is also very creditable to the bank that its bills were regularly received by creditors of the nation. Nearly every bank in the west and southwest broke under this strain, and also many in the east. The Indiana bank, alone, west of the Alleghanies, did not fail. The Whigs attributed the general disaster to Jackson's war on the Bank of the United States, aided and aggravated by the specie circular.[20]

The citizens of Indianapolis helped the local situa-

[18] *Indiana Journal*, May 20, 1837.

[19] Lanier, *Life of Lanier*, 15.

[20] *Indiana Journal*, May 6, 1837. "Indiana, in 1837, had the largest amount of circulation and of specie in proportion to its capital, of any state in the Union." George Tucker, *The Theory of Money and Banks*, etc. (Boston, 1839.)

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tion by approving in a public meeting the action of the bank board. The merchants of Indianapolis showed their faith in the bank and its directors by giving notice promptly that they would receive State bank notes of all branches at par and by expressing in another resolution full confidence in the bank. In its turn the bank board issued an address to the people of the State calling attention to the fact that the bank must, in self defense, close its doors against specie payment. Agents were in the State from the east who would take away specie by the wagon load, by means of the bank's own currency. The bank had on deposit in eastern banks $1,000,000 in its own notes which could all be used to draw from the various branches the $1,000,000 in specie which was in their vaults. The branches would continue to receive paper currency at par and cancel all indebtedness. The people were warned not to sacrifice their money. The people preserved their confidence and the bank preserved their money. The suspension was not forced, but was the result of due deliberation. The bank reported, and actually had, plenty of specie. A committee of the General Assembly made a thorough investition and approved its conduct.

A meeting of bankers from all parts of the country was called for April, 1838. John Lanier was again called on to represent the Indiana bank. The bankers met in New York, and Lanier surprised the eastern members by making a proposal, in which Albert Gallatin concurred, in favor of immediate resumption of specie payment. He succeeded in his mission and set August 13, 1838, as the day on which the banks were to begin again the payment of specie. But the banks still feared the specie would all be gathered in the east, and on November 19, 1839, the State bank again closed its specie vaults, not to reopen them until ordered to do so by the General Assembly, June 15,

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1842. The bank never defaulted again. No other State in the Union passed through this period with its currency so little deranged.

There was much criticism of the bank during this period of suspension. The bank notes were at a discount of about five per cent outside the State. This was an especial hardship on merchants. One of the most lucrative fields of the bank's activity was the purchase and sale of exchange. Bills on New Orleans were bought from shippers in the fall and winter. When these were about to mature, Lanier would go to New Orleans and cash them, using the proceeds in buying exchange on New York and other eastern cities. These bills were sold to Indiana merchants buying in the east and thus the bank turned its money at least three times a year. The discount on these bills, due largely to depreciated currency, was from eight to fifteen per cent on each transaction. During the panic the bank made ten to fifteen per cent clear profits.[21] It took advantage of its freedom from specie payment and expanded its note circulation from thirty to forty per cent.

The report of November, 1840, shows that directors had borrowed from the bank $430,802; other stockholders, $907,797; thus a total of $1,338,599 of its outstanding debts was against its own stockholders. All other loans amounted to only $2,339,819.[22] It was to this condition that President Merrill alluded when he said many officers of the bank sought the positions only to enable themselves to borrow money. If we add to this amount the $692,433 owed by the State and a suspended debt of over half a million, we realize what a burden the bank was carrying. It had in suit for collection at this time also about $200,000, most of which had to be collected from sureties.

[21] Lanier, *Life of Lanier*, 17.
[22] *Documentary Journal*, 1840, 94.

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This, however, was the ebb in the bank's career. Recuperation was as rapid as demoralization had been. Its large suspended debt was nearly all collected, and from this point onward the prosperity of the bank was steady. The flood of gold in 1849-50 brought life to all avenues of business, and the "hard times" of 1837-43 were speedily forgotten.

Looking back over the whole history of the State Bank of Indiana, one is compelled to say that it was successful. Its success is the more striking because it stands against the sordid background of "wildcat" banking. Its career fell largely in that most unhappy period of our history called the Panic Era of 1837, and it surely had little in its favor as far as the era was concerned. It was, fortunately, well on its feet when this panic prostrated business throughout the United States. Although it did not earn large dividends during that period, it protected itself better and took better care of its customers than any other bank in the west and did equally as well as any bank in the nation. It had scarcely weathered the panic when it found itself a creditor of a failing State to the extent of over one-third of its capital stock. The sinister hand of party politics is seen here and there, though never deadly except in the Constitutional Convention of 1851 and in the Free Banking Law of 1852. One is tempted to reflect that Jeffersonian politics and *laissez-faire* economics never won a more regrettable victory than when they overthrew the State Bank of Indiana.[23]

One of the arguments used by the advocates of the bank charter of 1834 was that the dividends of the bank would pay the ordinary expenses of the State. A comparison of the statistics will show that the dividends

[23] See Charles A. Conant's *A History of Modern Banks of Issue* (4th Ed., N. Y., 1909), 386; A. M. Davis's *Origin of the National Banking System* (Senate Doc. No. 582, 61st Congress, 2nd Sess.). For a similar experience see Charles Hunter Garnett's *State Banks of Issue* (University of Illinois, 1898).

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ran low during the decade from 1838 to 1848. During a part of this time it had to suspend specie payments and curtail discounts, especially on eastern bills, on which it made most money. The dividends during 1843-45 inclusive ran low, because over $700,000 of the bank's money was tied up in suspended debts. Again in 1852 the State's expenses ran high, on account of the State constitutional convention of 1850. It must also be kept in mind that during this latter period the bank was piling up in its vaults a surplus of over $1,000,000, besides carrying $300,000 of suspended debt. The dividends—after paying interest on the borrowed capital at five per cent—amounted to about $2,000,000 for the twenty-one years. Add to this amount a surplus of $1,434,000, a suspended debt of $216,000, which was practically all collected, and banking property worth $100,000, and the total earnings of the bank for the twenty-one years were about three and three-fourths millions. The ordinary expenses of the State for the same period were about $1,800,000, or just about one-half of the dividends.

A criticism of the bank, frequently heard from the beginning and growing more frequent throughout the twenty years, was that it failed to supply an adequate currency for the growing commerce of the State. That this criticism was just, will be seen by comparing the capital stock, discounts, and circulation statistics with the number of polls, acres of land assessed, and the total valuation of State properties. The weaith of the State mounted by regular steps, while the capital of the bank, its circulation, and its discounts never appreciably increased. In 1836 the circulation was $2,000,000, when the polls numbered 75,000, the acres taxed numbered 5,000,000, and the total property was valued at $67,000,000. In 1854 the circulation was only $3,500,000 when the polls were 160,000, the acres 20,000,000, and the taxables near $300,000,000. This

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comparison needs no further comment. The disparity worked a great hardship and injustice on the debtor class, and this class formed a large majority of the people.

## § 75 The Era of Free Banks

While the commercial interests maintained a firm faith in the integrity of the State Bank, there gradually grew up a spirit of opposition. The reasons for this were not clearly defined, yet the sentiment was strong enough to control the General Assembly, and especially did it dominate the constitutional convention of 1850-51. When a proposition to extend the State Bank charter was before the convention of 1850 only one of its original supporters, Othniel Clark, voted for it.[42]

The "hard money" Democrats, who in 1843 had been only an insignificant minority, had increased in numbers till they held the balance of power in 1850. These men, however, were not inflationists. The strong current of public opinion opposed to the State bank came from the inflationists—the men who wanted more money in circulation.

Their chief objections to the State Bank were: (1) It had failed to supply enough currency. (2) It had been partial in lending money to its stockholders, and it had also favored farmers and stock buyers as against merchants. (3) It had refused its assent to the location of new branches, when business clearly demanded them. (4) It had suspended specie payment twice, and had not resumed the last time till the State forced it. (5) It had used its power as a monopoly and had almost defied the State government. (6) As all sound banks must do, it had made enemies of the large numbers of

[42] *Debates of the Constitutional Convention of Indiana*, 1850-51, 1995. The *Debates* are printed in two large volumes, paged consecutively. This work is referred to hereafter as *Debates*. Where specific reference is not given, any fact may be found readily by use of the index.

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those who wanted credit and could not give sufficient security.

On the other hand the teachings of Jackson were against paper currency, State banks, and monopolies. Many Whigs were opposed to paper money and voted against the bank, and some Democrats, like Hendricks, favored it. The demand for more money is always popular and crept out in nearly every speech in favor of free banks. It is to be pointed out that the conditions of business, and the needs of the day, had more to do with forming the opinion of the convention than an intelligent, statesmanlike understanding of banking.

The thirty-sixth session of the General Assembly met, December 1, 1851. The new constitution had been in operation one month when on January 3, 1852, William Z. Stewart of Cass county moved that a select committee of one from each judicial district be appointed to report a free, or general, banking bill.

On January 12, Chairman John W. Spencer of Ohio and Switzerland counties presented the report of the regular committee on banks. This was in response to a resolution of the House to inquire into the necessity of enacting a general banking law. A majority of the committee favored such an act, and recommended the following restrictions: (1) All issues of currency were to be secured by an equal amount of United States, or State stocks, and all banks were required to keep on hand in specie twenty-five per cent of their note circulation. (2) Two-thirds of the securities might consist of stocks, one-third of real estate mortgages. (3) A slight discrimination should be made in favor of Indiana bonds. (4) No bank should have less than $25,000 capital. The committee asked that this report be referred to the select committee on banking.[43]

February 9, 1852, Mr. Stewart of the select com-

[43] *House Journal*, 1851, I, 425.

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mittee reported a bill for general banking.[44] It was similar to the New York banking law of 1838. The bill was put on its passage April 30, and failed by a vote of 25 for and 20 against—lacking one of a constitutional majority. It was revived by a motion to reconsider, and on May 18, was passed by a vote of 27 to 18.[45] Party lines were not strictly drawn in passing the bill, but in general the Democrats favored and the Whigs opposed. Governor Joseph Wright approved the bill, but was not enthusiastic in its support. The act was to take effect July 1, 1852.

The general features of the law have been indicated. The State auditor was to be comptroller, issue all bills, and keep all plates. Notes were to run, in the ordinary denominations, from one dollar up to five hundred. Not over one-fourth of the whole amount was to be less than five dollar notes, and the banks were not to handle notes less than five dollars issued outside the State. Notes were to be registered, counted, and countersigned by the auditor, who also stamped them "secured by the pledge of public stocks." Circulation was guaranteed by a deposit of United States, Indiana, or other State bonds equal to Indiana fives. The State was in nowise pledged to redeem the currency. Specie equal in amount to twelve per cent of the circulation had to be kept on hand by the banks, and specie payment must never be refused on penalty of having the bank closed at once. Reports were to be made semi-annually to the State auditor.[46]

The plan looked plausible, and its authors were proud of the law. There may have been some who were influenced by selfish motives, but the method of its passage cannot be criticized. By December 15,

[44] *House Journal*, 1851, I, 803.
[45] *Senate Journal*, 1851, 1018.
[46] *Laws of Indiana*, 1852.

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1852, six months after the law went into force, fifteen banks had been organized, and are examples of the seventy-four that followed.[47] These had deposited $910,000 worth of stocks face value, and had received currency to the amount of $800,000. They were only an earnest of the deluge. Six of the banks were said to be doing a legitimate local business. Five had put their notes in circulation at New York. No notes had been issued to four of them at the date of the report, December 15, 1852.[48] Either State Auditor E. W. H. Ellis felt that he had no authority under the law to restrain the establishment of banks, or else he had no inclination to do so. Governor Wright was inclined to think the latter was the case. In his message of January 7, 1853, the governor, for the first time, mentioned the subject of free banking.[49] Although he had signed the bill, he had not recommended it in any previous message. Like many others at that time, he recognized the insufficiency of the circulating medium, and the inability or refusal of the State Bank to meet this need. The governor was, however, quick to see the failure of the new law. The restrictions were entirely inadequate. Already five banks, of the "Owl Creek" kind, with only a nominal existence, and a capital of $365,000, had been organized. These bankers, he thought, had no idea of redeeming their notes. The pledge of the State would give their notes circulation, and an unnatural expansion of the currency must result. At one time it would rob the creditors, at another time, the debtor. Under the present system, he thought, there could never be a sound currency. The speculator came to Indianapolis with a bundle of bonds under one arm and a roll of bank notes under the other. He deposited his bonds, that

[47] *Documentary Journal*, 1853, 98.
[48] *Documentary Journal*, 1853, 150.
[49] *Senate Journal*, 1853.

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had cost him from fifteen to fifty cents on the dollar, and got for them Indiana currency, dollar for dollar, recommended by the State. Presumably he went to some obscure place and put them in circulation, but in reality he took them to New York. The constitutional convention and the General Assembly of 1851 had, in fact, invited the bondholders to bring their bonds to Indianapolis and cash them at par, and perhaps, for a few years draw interest on both the bonds deposited and the currency received.

The natural result followed hard on this unnatural expansion of the currency. About May 1, 1854, a flurry in the money market started the trouble. The Crimean War in Europe changed the demand for American securities to a demand for American coin. Coin was at a premium, and brokers began to drain the Indiana banks to get coin for the eastern markets. Governor Wright had suspected the integrity of these banks from the first and, in 1854, had sent John S. Tarkington to a bank at Newport in Vermillion county to see if it would redeem its paper. As it was expressed at the time, the bank "squatted." This test not only confirmed the governor in his suspicion, but started a run on the free banks of the State that never ceased. It was charged at the time that State Bank men furnished the governor with all the bills he wanted on the free banks.[50]

During this bank-run the State Bank paid out over $2,500,000 in specie without lowering its specie deposit. Business could not be carried on under such conditions. One instance must suffice as an example of the violent fluctuations of the period. The circulation of the free banks in May, 1854, was $9,000,000. By December 15, $3,454,279 of circulation had been withdrawn. People lost all confidence in free banks, but still the auditor

[50] Berry R. Sulgrove, *History of Indianapolis*, 143.

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felt that a few amendments to the law would make it a good banking system.

In the midst of this panic in the money market the General Assembly met, January 4, 1855. Governor Wright again took up the cudgels for a sound currency.[51] He repeated his statement of two years before that the free bank law was a failure, and that the past events had shown clearly that the restrictions provided in that law were entirely insufficient to prevent the abuses of the banking privileges. By January 25, 1855, there had been organized ninety-one free banks with a total nominal capital of $9,502,330 and an outstanding circulation at the time of $4,581,833, backed by deposited bonds, whose par value was $4,941,515. The money of the State was never so deranged as when the thirty-eighth session of the General Assembly met. As soon as H. E. Talbott became auditor, he stopped the issue of bills, but the cancellation went on and the consequent contraction of the circulating medium continued.[52]

The legislature was deeply disappointed in the disastrous failure of the law. Of course the system had in it all the weaknesses of banking systems not founded on liquid assets. But these weaknesses do not account for its quick and ruinous collapse. Had an efficient auditor administered the law and enforced it rigidly, such banks as that of Newport could not have been organized. The chief defect lay, not in the law, but in the officials who failed to enforce it.

## § 76 Bank of the State of Indiana—The Third State Bank, 1855-1865

The bill to charter a new State bank to be known as the Bank of the State of Indiana had a career in

[51] *Senate Journal*, 1855, 17, the governor's message. *Documentary Journal*, 1855, 82.

[52] *Documentary Journal*, 1855, 934.

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the General Assembly very similar to that of the Free Bank bill, though the opposition to it was more spirited and the lobby for it more powerful. It passed the Senate, February 24, 1855, under the call of the previous question, by the close vote of 27 to 22.[53] The minority joined in a bitter protest which they spread upon the journals.[54] After passing the House, the bill met with the governor's veto. His principal objections were, that he had not had sufficient time to examine the bill; that the bank could issue unlimited paper; that the measure, which might almost ruin the State, was not discussed in the legislature; that the bill exempted the bank from most of the burdens of taxation; that the manner of subscribing its capital was unfair and invited corruption; that it could discount paper equal to three times its capital stock, plus three times its deposits; that its title, The Bank of the State of Indiana, was adopted to mislead people; that the State could have no control over it, under the charter, which was to run twenty years; and that the whole atmosphere of this bill, from its introduction to its last vote, was charged with uncertainty and a suspicion of corruption and unfairness. The Senate passed the bill over the veto by a vote of 30 to 20.[55]

The above are the facts around which was woven one of the most noted legislative scandals of the State's history.

[53] *Senate Journal*, 1855, 551.

[54] *Senate Journal*, 1855, 562.

[55] The majority vote in the Senate on the four occasions is here given:

1. Passage of a Bill to Establish a Bank with Branches:—Alexander, Brown, Burke, Combs, Crane, Cravens, Crouse, Drew, Ensey, Freeland, Griggs, Harris, Helm, Jackson of Tipton, Meeker, Parker, Reynolds, Richardson of St. Joseph, Shields, Spann, Suit, Tarkington, Weston, Williams, Wilson, Witherow, Woods;—27 in all.

2. Passage of Free Bank Bill:—Alexander, Anthony, Brookshire, Brown, Burke, Chapman, Combs, Crane, Cravens, Crouse, Drew, Ensey, Freeland, Glazebrook, Griggs, Harris, Hawthorn,

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The smallest majority was that on the first passage of the bill to charter the Bank of the State of Indiana. All of the twenty-seven senators who supported this bill also supported the Free Bank bill. It was an allied majority that ruled the Assembly. The vote is the more surprising because the bills provide for entirely distinct systems of banking. The Bank of the State of Indiana is, as the governor pointed out, a misnomer. It was not a State bank, but one of the worst forms of an unrestricted bank. The only guaranty of its integrity was the mutual liability of the branches and the character of its stockholders and officers.

The bill, as it was introduced, provided for three grafts.[56] The first consisted in selling the State Bank stock at a price to be named by the lobby and paid for with bonds bought at 90 and turned in at 100. This

Helm, Hendry, Hosbrook, Jackson of Madison, Jackson of Tipton Knightley, Mansfield, Mathes, Meeker, Parker, Reynolds, Richardson of St. Joseph, Richardson of Spencer, Robinson, Rugg, Sage, Shook, Spann, Suit, Tarkington, Vandeventer, Weston, Williams, Wilson, Witherow, Woods;—43 in all.

3. Passage of the Free Bank Bill over the veto:—Alexander, Anthony, Brown, Burke, Chapman, Combs, Crane, Cravens, Crouse, Drew, Ensey, Freeland, Griggs, Harris, Hawthorn, Helm, Hendrick, Hosbrook, Jackson, Knightley, Meeker, Parker, Reynolds, Richardson of St. Joseph, Robinson, Rugg, Sage, Spann, Suit, Tarkington, Vandeventer, Weston, Williams, Wilson, Witherow, Woods;—36 in all.

4. Passage over the veto of a Bill to Establish a Bank with Branches:—Alexander, Anthony, Brown, Burke, Combs, Cravens, Crane, Crouse, Drew, Ensey, Freeland, Griggs, Harris, Helm, Hostetler, Jackson of Tipton, Meeker, Parker, Reynolds, Richardson of St. Joseph, Robinson, Shields, Spann, Suit, Tarkington, Weston, Williams, Wilson, Witherow, Woods;—30 in all.

[56] *Bank Frauds*, 41. This document of the legislative session of 1857 contains the evidence heard by, and the findings of, a joint committee appointed at the suggestion of Governor Wright to investigate the chartering of the Bank of the State of Indiana. The report contains the testimony of most of the lobbyists and of members of the session of 1855.

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met with the most violent opposition and had to be abandoned.

The second was in locating the branches, in which the new board of bank commissioners had full power. This board of commissioners, named in the second section of the bill, was composed of Thomas L. Smith of New Albany, Andrew L. Osborn of Laporte, Jehu T. Elliott of Newcastle, Addison L. Roach of Rockville, and John D. Defrees of Indianapolis. It is but fair to state that Mr. Defrees took no part in the work after he ascertained the purpose of the lobbyists. It is not necessary to comment on the personnel of this board. All were prominent men and all had been highly honored by the people in an official way. There was no excuse for their conduct. They were to get their pay for lobbying by selling the locations of the branch banks. The commissioners were also empowered to appoint two subcommissoners to open the books for each branch and receive subscriptions.

The third opportunity for graft was in subscribing the stock of the bank. The law directed that the subcommissioners should open the books to receive subscriptions *between* nine and twelve o'clock. The commissioners were careful to appoint subcommissioners who would allow no one to subscribe except those recommended by the lobbyists. The charter was worth $500,000, at a fair estimate, basing the estimate on the dividend paying power of the old bank.

Several lawsuits followed the organization of the bank, but the real merits of the case, with the State as a party, were never brought before the supreme court. Nor would it, presumably, have availed anything. Courts naturally hesitate to question the integrity of a coordinate branch of the government.

No further changes in the bank laws were made till the law of 1874 was enacted, under which the State banks of today operate. The national law of 1863 as

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amended in 1866 stopped all State banks from issuing currency, and effectually put an end to experiments in banking, though it did not solve the greater question of the inflation and contraction of the currency.

The new Bank of the State of Indiana gathered itself together after the storm and began to do a careful, conservative banking business. The people soon came to look upon the whole winter campaign as a war among highwaymen, in which, for the moment, the lobbyists had got the upper hand of the old bank men.

Hugh McCulloch of Fort Wayne was elected president, and James M. Ray, cashier. Branches were established at Lima, Laporte, Plymouth, South Bend, Fort Wayne, Lafayette, Logansport, Indianapolis, Richmond, Connersville, Rushville, Madison, Jeffersonville, New Albany, Bedford, Vincennes, Terre Haute, Muncie, and Lawrenceburg. The bank opened with $197,903 paid-in capital, and $35,497 in specie, an average for each branch of $10,000 capital, and less than $2,000 in specie. As stated above, it was on a level with the worst "wildcat" banks in all its essential features save two; its branches were mutually responsible, and it was in the hands of the most capable business men in Indiana. Its president was one of the three or four greatest American financiers. The bank prospered until overwhelmed by the national bank system. Under an act of the General Assembly of 1865, it closed up its business. Nearly all the branches became national banks. Its last report, for the year 1864, shows how the national currency was affecting its circulation. At the close of 1862, it had $5,000,000 in circulation, and at the close of 1864 only $1,500,000.

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## CHAPTER XVIII

### THE PIONEERS AND THEIR SOCIAL LIFE

### § 77 The People

The present population of Indiana, like that of all other American States, is a compound of the civilized nations of earth. The predominating strain in this population is the English, Scotch, Irish and German peasantry. Along the eastern foothills of the Appalachians these immigrants from Great Britain and Germany mingled and fused into a class with pretty well defined characteristics. Most were of the substantial stock of English yeomanry, the stubborn, independent stock that has made the English soldier and the English colonist successful in all parts of the world.

The second generation of this folk occupied the high valleys of the mountains from Carlisle and Pittsburg to the Watauga and Holston. Wherever they settled they built States and established institutions. The third generation, generally speaking, pushed on across the mountains, establishing boroughs or forts at Limestone, Louisville, Bryants, Crab Orchard, Boonesborough and Harrodsburg, many of them pressing on to Vincennes and Kaskaskia. In numerous instances brothers and sisters parted in the eastern valleys, and their children met as cousins in Kentucky, one branch of the family having come by Tennessee and the Wilderness Road, the other by Pittsburg and the Ohio river. The fourth generation, about a century after their ancestors came from abroad, crossed the Ohio river into Indiana and Illinois, or crossed the Mississippi river into Missouri and Arkansas.

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The language of this group of pioneers was the language of the eighteenth century commoner of England. By calling it a Hoosier dialect, we would claim among the earliest Hoosiers, Pope, who made "join" rhyme with "divine," and Burns, who invariably, in the full tide of his songs, "draps" the final "g" in all present active participles.

But how, it may be asked, did it happen that a people would lag a century behind in their language? A group of people in the heart of a wilderness continent late in the nineteenth century speaking the language of the early eighteenth century peasants sounds like an anachronism. The explanation is at hand. When this people settled in the back country of America they tore themselves away from the culture of England, separated themselves from the ordinary channels of commercial life, and virtually went into exile. The long, century struggle with the wilderness and its inhabitants engrossed their whole attention and energy. When they could snatch a moment's rest from the battle they did pitch their tents and endeavor to reproduce English institutions, but the lure of the wilderness was too strong.

The thirst for education was continually upon them. Witness the founding of Washington College at Salem, Tennessee; Transylvania in Kentucky; Vincennes in Indiana, to name only a few. During this whole century this energetic folk, impressionable, wide-awake, free, in a strange country, retained its language almost entirely by memory. The usual library among the pioneers was the King James translation of the Bible.

It was a homogeneous group of people. Their preachers, their lawyers, their orators, all those who are supposed to influence language, were part and kindred of all the rest. There were very few newspapers and they had a very limited circulation. It is

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worth noting, however, that there is little dialect in any newspaper. Whether this is due to the typesetters, who used a book, or whether it is a case of a written and spoken language existing side by side does not appear conclusively at present. However, there is abundant evidence that the latter explanation is the proper one. There is no doubt that such eloquent pioneers as Henry Clay, Lewis Cass, Abraham Lincoln, Peter Cartwright, and Francis Asbury spoke the picturesque native language of their forefathers.

The term "Hoosier dialect" is a misnomer. So far as it can be said to have any justification, it is in connection with the southern element of our population. Whatever peculiarity there may be in it is common to one-third of the nation, and a characteristic so common cannot be said to be very singular.[1]

The social customs of early Indiana are most clearly understood in the light of their history. Scarcely a feature of their early life but expressed itself earlier in Kentucky, Tennessee, Virginia or the Carolinas, and many customs and conventions were brought from over seas.

The charivari, the Christmas shooting, the maltreating of the schoolmaster, the drinking and gambling, the tavern, the shooting match, the election day, the wedding and infare, the log-rolling, the quilting, the camp-meeting, all smack of the "old South" and "merrie Englande."

The open-handed hospitality, which regarded it almost an insult for a man to offer to pay for meals or lodging, the quick sense of honor, which resented more keenly a reflection on one's integrity than a physical assault, the contempt for business shrewdness or close bargaining, the quick temper, the explosive

[1] Lois Kimball Matthews, *The Expansion of New England*, 197; Meredith Nicholson, *The Hoosiers*, ch. I. The text is based on a wide study of early Indiana newspapers.

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humor, the wide humanity, the philosophic as opposed to the scientific mind, the deep thought in the homely expression—these are some of the mental characteristics of this people.

Thorough-going democrats, free from all restraint, demanding elbow room, believers in Christianity though tolerant of creeds and forms, simple in dress and house, careless of accumulated wealth, holding life above property, neglectful of business, enjoying plain society and discussion, rarely calling into action their great reserve power, on easy terms with the world, believing that the consequences of one's deeds return to the doer—these are some of the leading principles of their philosophy of life.

They believed and practiced a community of work, but there was an individual score kept. The man who did not help his neighbor roll logs received no help in return, unless on account of charity. No people were ever more charitable. They borrowed and loaned with the greatest freedom everything from a team and wagon down to a set of pewter spoons. Yet there was little partnership in the ownership of property. Each family lived to itself and had no great desire to have near neighbors.[2]

## § 78 Home Life and Customs

The pioneer located his home preferably on a hillside near a supply of good water. Southern Indiana was well supplied with springs, and each pioneer house was built near one. The style of the house depended on two factors—the time of the settler's arrival and the character of the man. Usually the settler came on

[2] The best discussions of this subject are in the writings of Edward Eggleston, Meredith Nicholson, and James Whitcomb Riley. From the strictly historical standpoint F. J. Turner, *Rise of the New West*, is the best discussion available. *In My Youth* (author unknown), gives a good sympathetic picture of Quaker life in early Indiana.

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ahead of his family, planted his crop and then proceeded to build a good cabin. If he preferred hunting to work, or took the ague, or if his family came with him, he usually lived a year or two in a half-faced camp.

The half-faced camp was a log pen with three sides and a covering of brush, the fourth side being left open. Sometimes a large log or a sheltering rock served for a back wall. The front, usually facing the south, was closed by a curtain or hung with skins. In front of this open side the fire was built and the cooking done. The ground was covered with skins and furs. Such a house did very well in dry, warm weather when no real shelter was needed. It was considered a makeshift by the pioneers and only occasionally resorted to.

The simpler form of the log house was a four-sided pen made of rather small, round logs, which were notched into each other at the corners so that each log touched the one below. It is said the settlers from the east built their log houses square, while those from the south built theirs about twice as long as wide. The houses were covered with clapboards about four feet long, held on by weight poles. A hole for a door was made by cutting out parts of about four logs. A wooden board or a skin closed the opening. At the end stood a mud and stick chimney, the framework made of sticks and then covered over with clay.

The better form of the log house consisted of two pens made of hewed logs. The pens were separated by an entry about twelve feet wide, which served as a porch. A frame window and two stone chimneys with four fireplaces, two downstairs and two up, often added an air of luxury to the double log house. The floors were made of heavy puncheons split from ash, walnut or poplar logs, pinned to the sleepers and dressed smooth with an adz. The taverns were generally of this style.

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In one corner, on a framework of poles, was the shuck or straw bed, soon replaced by a more comfortable feather bed, pieced quilts and the famous Carolina coverlets now highly prized as relics. In the opposite corner of the room was the table with its quaint tableware, part pewter, part gourd, part wooden, and all remarkable for their scarcity. A huge fireplace six to ten feet wide monopolized the oposite end of the house, decorated with a semi-circle of three-legged stools, a trundle bed for the babies was hid away during the daytime under the big bed. The boys scampered up a pole ladder to sleep in the attic. Any number of visitors could be accommodated by spreading the feather bed on the floor. Tradition leaves no doubt that this log cabin hospitality was genuine.

There were not many cook stoves in pioneer Indiana. A few might have been found as early as 1820, after which they appeared in increasing numbers. Perhaps one family in five had a stove by 1840. The immigrant who trudged west on foot or came on horseback even was fortunate if he got through with a skillet and a pot. A spider skillet with lid and an earthen pot were more than the average cooking utensils possessed by a family. The meat was usually cooked on a spit. Cornbread was baked in a small oven which, in reality, was a large skillet, if the family was fortunate enough to possess one. If not, then Johnnycakes were baked on a board. If there was no board, the handle was taken out of the hoe and the metal covered with corn dough and cooked. This was the famous hoecake. Practically all bread was made of meal. All cooking was done over coals drawn out to the front of the fireplace. Sometimes a crane was fixed in the side of the fireplace so that it could be swung on and off the fire at the convenience of the cook.

As stated above, cornbread cooked in one of a half

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dozen different ways was the staple food. Next came hominy and then some kind of meat. In the early days the most common was venison and bear. Turkey and squirrel were not uncommon. In a few years chickens and hogs became plentiful; later vegetables and fruit appeared on the table, the latter dried for winter use. The cooking was necessarily poor, and doubtless accounts for much of the sickness of that early period.

The very first pioneers depended almost entirely on skins and furs for their clothing. The hunting-shirt, trousers, and moccasins were made of deer skins. A well-made suit with fringed coat, laced leggins and coonskin cap appeared well and was fairly comfortable in warm, dry weather. When wet, it drew up to about one-half its usual dimensions, becoming cold and clammy. Soon linsey cloth took the place of skins, which, while more comfortable, did not stand the rough wear like buckskin. All hailed with delight the time when they could lay aside both skins and linsey for the home-made woolen garments. A bearskin overcoat, a beaver hat, a pair of buckskin gloves lined with squirrel fur, were considered good taste down till the Civil War.

Women wore plain dresses with an extra jacket in cold weather. The petticoat was usually of homespun. Woolen shawls were worn instead of coats. Hooks and eyes were used instead of buttons. On their heads they wore a sunbonnet in summer, a knitted hood in winter. Shoe-packs were worn in winter and all went barefooted, men, women and children, in summer. Handkerchiefs and gloves were home-made, the former of cotton, the latter of squirrel skins.

The children did not wear enough clothes in summer to warrant a description, the maximum being a long shirt hanging straight from the shoulders to the knees. In winter they dressed like their parents, the clothes being made on the same pattern and only slightly smaller. The pioneer boy in his everyday dress was

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a wonderfully skillful machine, but the same boy dressed for a camp meeting, with starched shirt and brogan shoes, was the most woe-be-gone, helpless creature imaginable.

About 1820 imported goods began to appear, such as broadcloths, brocades, taffetas and peau de soies. Beautiful furs, beaver hats, flounced skirts, balloon-shaped hoops, hats with a garden of flowers, cut-away coats with double-breasted checkered vests, silk stocks over hard buckram collars—such wore the gentlemen and ladies of the old school from 1830 to 1860.

## § 79 Occupation

The pioneers as a rule came to their western homes empty-handed. While raising their first crops they lived on game. Many of them made their first payments for their land with money obtained from pelts and venison hams. In their hunting they depended on their dogs, traps and flintlock rifles. The woods were full of game. Deer, bears, turkeys, pigeons, and wild ducks were plentiful. The deer were found in large numbers around the salt licks. Droves of them ventured into the wheatfields or cornfields. Wolves were a pest that preyed on sheep and hogs.

Swarms of wild bees were numerous in the woods. They made their homes in hollow trees or clefts of the rocks. By watching the loaded bee, usually sprinkled with flour so that he might be seen as he made a "bee-line" for home, the pioneer located the bee tree. He could either cut the tree at once or mark it. All pioneers respected a bee-hunter's mark. The tree was usually cut in September, if only the honey was wanted. It was cut earlier if it was desired to save the bees.

The more serious work of the pioneer consisted in preparing his little home. He prospered just in proportion to the time he devoted to his farm. He found his land covered with a heavy growth of oak, poplar,

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walnut, beech, gum, ash, maple, hickory and various other kinds of hardwood timber. It was necessary to kill the trees so that sunshine might get through to the growing crop. The clearing might be made either by cutting and burning all the trees or by "deadening" or girdling the heavy timber. In either case the underbrush had to be cut, piled in heaps, and burned. Then the large trees were felled with an ax and cut into suitable lengths for rolling. The cuts were about twelve to twenty feet long. In some cases the logs were "niggered," that is, a smaller dry log was laid across the larger one and a fire kindled where they were in contact. In time the log was burned in two. The chopping in the clearing went on incessantly during the winter. In the spring, about the last of April, the settler was ready for the rolling.

The "log-rolling" was almost an institution in Indiana for fifty years. All the men in the neighborhood, probably from twenty to fifty, gathered early in the day with axes and hand-spikes and piled the heavy logs in large heaps, three to ten logs in a heap, ready for burning. The men worked in "squads" of from ten to twenty each. There was both individual and team rivalry. Young bucks "pulled each other down" at the hand-spikes, while the squads worked to see which could work over the most ground or build the most heaps.

After the logs were piled the young men spent a social hour or two jumping or wrestling. While the men were rolling logs their wives and grown daughters were busy at the house, "quilting." The housewife usually had two or three quilts "pieced" for the occasion. One of these at a time was stretched in the quilting frames by which it was supported high enough to be convenient to the women sitting. The best quilters gathered around the four sides of the quilt while the others helped in preparing dinner and supper. The

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meals were a feature of the event. Everything good was prepared and all the tableware of the community was borrowed for the table service. After the supper was over, a short time might be spent in dancing, but this was not common at log-rollings, both on account of the hard day's work and the necessity of changing clothes after handling the dirty logs. The number of log rollings in a community varied from twenty to forty. May was a hard month for the pioneers.[3]

If the settler had time, the easiest way to clear his land was to "deaden" the trees in July or August, let them stand two years before clearing. Many of them would then burn up as they stood. Such "deadenings" were to be seen on almost every farm. Many of the best cuts of oak, poplar, walnut and ash logs were left at the rolling to be split into rails for the fence. The "new ground," however, was usually fenced during the fall or winter.

The plowing was done with a jumping shovel, of which the stock was wood and the point iron. An upright cutter stood just ahead of the point to jump it over roots. This was a modest implement and plowed where it could and jumped out where it couldn't. It had a reputation for kicking. When the point struck a root or rock the handles were thrown back violently, striking the unwary plowman just below the belt. The harrow was made entirely of wood. If no harrow was handy, a "drag" made of brush did quite as well. The harness, single- and double-trees were the flimsiest. "Truck" wagons with solid wooden wheels were common. Oxen were used about as much as horses. Pitchforks and spades were made of seasoned wood. The cultivation was anything but satis-

[3] Those who are fond of telling of the good old days may try this program: Rise at 3 a. m., "chunk up" ten acres of log-heaps before 6 a. m., breakfast, walk three to ten miles, roll logs till 6 p. m., walk home, "chunk up" ten acres of log-heaps before going to bed. Repeat it thirty days in succession, rain or shine.

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factory and the crops meager. Grain, except corn, was sown broadcast and "brushed in" with a light "drag." Corn responded best to this rough agriculture and creditable crops were raised.

The early pioneers of the upper Mississippi Valley lived largely on corn and its products. Roasting ears lasted from the first of August to the last of September. By that time the early corn was ready for the "gritter." By November, the first grists were ready for grinding. Cornbread and hominy were staples from then till spring, when garden vegetables took the place of the hominy. From corn was made the everpresent whiskey, without which nothing of consequence could be done.

After the log-rolling season work on the farms was without excitement until the harvest season. Beginning with wheat, which ripened about June 20, the harvest season lasted until the hay was in the mow, about August 1. Again there was a community of work. The harvesters gathered in groups of ten to twenty. The cradlers vied with each other in laying a straight, even swath and in not leaving a stalk of wheat standing. Then there was racing across the fields by the cradlers. When the field was done the "stubble call" was given. The housewife, assisted by the neighbor women, prepared bounteous dinners and suppers for the reapers. Lunch, consisting of pie and coffee, was served at 10 a. m. and 4 p. m. The hay harvest followed hard after the wheat, when the cradlers took up the scythe and the binders the pitchforks. The wheat and hay were put into stacks and then the harvest season was over. Sometimes a big harvest home barbecue or picnic followed.

A period of inactivity followed harvest, during which the farmer watched his corn crop ripen, hunted squirrels, fished, built a house or barn, broke ground for wheat or attended shooting matches or camp meet-

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ings. It was during this period, also, that sickness prevailed, especially fevers and chills.

With the appearance of frost, the corn gathering time was on. Much of the corn was cut in fodder, and after the fodder was cured the corn was shucked off. The remainder was gathered off the stalk, the ears being snapped off and hauled to the barn. During the long winter nights the neighbors again gathered together, this time for a husking bee or "corn shucking." The above was the usual program of the year's work. Produce for down river trade was gathered in the fall and loaded on boats in March or April, the boatmen returning by June. One cannot help but notice the mutual helpfulness of the pioneers of each neighborhood.

## § 80 The First Public Utilities

Each farm was largely self-sustaining. Each neighborhood had a small store where powder, lead, salt, iron, leather, whiskey and a few other commodities were bartered for beeswax, tallow, ginseng, furs, deerskins and other marketable produce. At the county seat stores, one could buy calicoes, silks, cambric, blue cloth for men's suits, collars, stocks, coffee, tea, sugar and plug tobacco. The latter articles were costly. Money was very scarce and little of it passed over the counter. Trading horses was almost a passion with the pioneers. Two horsemen rarely met without a banter for a trade. Saturday afternoons at the taverns or towns were devoted to horsetrading, or "swapping horses," as it was called.

The most inconvenient work of the pioneer was getting his corn and wheat ground into meal and flour. Horse mills were the earliest. Such a mill consisted of a pair of burrs made of hard stone so set that one stone revolved on the other, their rough surface almost touching. The grinding was slow and the meal poor.

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Next came the water mills. These were often built by settlers from the east. An undershot waterwheel usually furnished motor power. They did better and quicker work than the horse mills, but it was often forty miles to the nearest one, and then one had frequently to wait two days to get his "turn." In later years the miller kept a large stock of flour or meal on hand, and could trade with the farmer at once. The most common evidence of pioneer life existing today in Indiana is these old mills with their races and dams.

Travel through the country was tedious. The roads were mere bridle paths. The coach roads were continuous mud holes. In course of time the mud was replaced with poles to make the corduroy; the poles with boards to make the plank roads; the boards with stone to make the pike. Neither has proved satisfactory.

Along the larger roads certain houses with accommodations for travelers came to be known as taverns. Such were usually the double log houses. The law compelled the tavern keeper to have at least one extra bed and an extra horse stall. The county board fixed prices for meals, lodging, drinks and horse feed. Each tavern paid a license fee. All classes of travelers ate and slept together, the sleeping usually being done on the floor. What was lacking in style, however, was usually made up in geniality. One could appreciate the latter when he "alighted" at a tavern after a hard day's ride in the rain or snow and mud. The traveler was welcomed into the "big house" and given a seat before the roaring fire. A boy removed his muddy boots and leggings, giving the guest a light pair of slippers in return. Dry clothing was furnished, after which there were a steaming supper and a warm feather bed. Next morning his boots, dry and greased, his leggings and greatcoat, all dry and warm, were brought, he stepped dryshod from the door of the hostelry into the saddle

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stirrup and pursued his journey, thankful for the good night's rest and entertainment.

## § 81 Festivals and Festivities

The chief fixed holidays of the pioneers were New Year, Fourth of July and Christmas. These days were, in general, set aside for the little folks. In the larger towns on the Fourth there was usually some formal banquet with endless toasts by the dullest of orators. On New Year's day there was frequently a neighborhood hunt, ending with something to drink. Little work was done, but no great amount of celebrating was ever indulged in. Christmas was the supreme holiday for the children. In a humbler way it was much as it is now. Apples, sweet-cake, home-made candy, such simple toys as could easily be contrived, together with warm gloves or stockings, knit by the mother, were the common gifts. The poor were remembered with substantial gifts of things to eat and wear. The young folks often arranged for a sleighride if there was snow. Except among the Quakers, Santa Claus was a universal visitor Christmas eve. The Christmas dinner was the principal attraction for the married folks.

The greatest sports for the men were the shooting matches, which were in order from September 1 till Christmas. The long squirrel rifle, with flint lock and "set triggers," was a favorite with every pioneer and shared with his dog the pioneer's affections. Resting on a pair of deer antlers, it held the place of honor over the cabin door. Up to a distance of 100 yards it was fairly reliable, up to fifty it was accurate.

The shooting match, like the old English contest with the bow and arrow, was primarily a trial of skill. Little value was placed on the quarters of beeves or venison won, as compared with the glory of winning. An elaborate system of rules and regulations governed it, but the essentials were as follows: A level stretch

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of ground 100 yards long, a large tree to receive the balls as they passed through the boards which were charred so that the balls would make a neat round hole. Those who fired "offhand" stood eighty yards away, those with a "rest" one hundred yards. Old marksmen fired "offhand." There were two ways of determining the result. In one case the nearest shot took first choice, the next took second, and so on. In the other the added distance of three shots was taken. Under some rules all three shots had to be within a certain distance, say two inches, of the center or the man lost.

A form of amusement that came from the South, but which was soon abandoned in Indiana on account of its rudeness, was "gander pulling." A gander was hung head downward from the limb of a tree about ten feet high. The bird's neck was coated with grease. The participants rode under at a gallop and endeavored to pull the gander's head off. Some one stood by with a whip to see that the horse passed at the proper gait.

Dancing was generally indulged in before the religious revivals of the late twenties and early thirties. The folks usually gathered at some house that had an especially smooth puncheon floor and danced the night away. The sleepy old fiddler's arm was made of iron and he could reel off "The Arkansas Traveler," "Old Dan Tucker," or "Cotton Eye Jo," for hour after hour. The dancing consisted of the square dance, three figures to the set, with a Virginia Reel, a "jig" or a "hoe down" when some ecstatic couple wished to show their artistic execution of the "side step," "back step," "single" or "double shuffle," "heel and toe" or other fancy foot maneuvers. This harmless amusement may still be seen in many parts of Indiana. In many places it disappeared long ago before the relentless crusade of the Protestant churches, largely because rowdies made the dance the scene of drunken brawls.

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Those who had moral objections to dancing substituted social games which in nature much resembled the dancing. "Keeping Post Office," "Picking Cherries," "Weevilly Wheat," "London Town," "Dusty Miller," "Needle's Eye," were the names of some of the commoner of these. The players sang the refrains, accompanying them by rhythmic performances almost like those of the dance. Many of the games had forfeit features in which kisses were the invariable penalties. The intermissions at spelling schools, singing schools, and debates were occupied by these games.

Weddings were the occasions for a two days' festival, the night intervening being devoted to dancing. The wedding was performed at the home of the bride. A formal invitation was sometimes written by the schoolmaster and carried around by the groomsman, but the usual way was just to "send word." The guests were supposed to arrive about 11 a. m. The groom, accompanied by five or six of his best friends, left his father's home on horseback in time to reach his destination about 11:30 a. m. As soon as the ceremony was performed, the married couple sat down at the head of the table, around which all the guests gathered. Of all the neighborhood feasts this was the most sumptuous. Everything available in the way of rations and table service in the whole community was brought into service. After a night of dancing interspersed with all kinds of jests and pranks, including a charivari, at the expense of the married pair, the whole company repaired to the home of the groom's father, where another dinner, the "infare," was served. In the afternoon the newly married couple were escorted to their new home, if one were ready. If there was no house ready the couple lived with the old folks until a house was built, when the young people gathered together for the last ceremony of the wedding, that of inducting the couple into their new home. This, and

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the dancing which accompanied it, were called the "house warming."[4]

## § 82 Sickness and Physicians

Contrary to most statements in novels, the health of the pioneers was bad. Poisonous vapors hung over the swamps and drowned woodlands. The sun was unable to penetrate the deep foliage and dispel the miasma. The river bottoms and flat lands were notoriously subject to malaria. No one thought of the housefly or mosquito being disease disseminators. There was no science of medicine, only a practice. We know now that most of their diagnoses were wrong, hence it is difficult to say what diseases were most destructive. There can, however, be no question of the terrible ravages of smallpox, typhoid and malarial fevers, pneumonia, tuberculosis and bronchitis. Among the children two diseases were especially prevalent at this time—croup and cholera infantum. The fact that at least half of the babies died before they reached the age of four will help one understand the terror caused by these ailments, croup in winter and cholera infantum in summer.

Here is a recipe for cholera infantum copied from the *Medical Investigator,* published by Horace N. T. Benedict, a botanic physician of Springfield, Lawrence county, Indiana, in 1847: "Take a double handful of dewberry roots, double handful of the roots of cranebill, two gallons of witch hazel leaves. Boil these separately until the strength is all extracted. Strain and

[4] Besides the above there were muster day, election day, and the camp meeting which have been described elsewhere. Discussions of early customs in Indiana are too numerous to mention. The following, however, are excellent: Baynard Hall, *The New Purchase;* D. D. Banta, *Making a Neighborhood;* Young, *History of Wayne County;* William F. Vogel, "Home Life in Early Indiana" in *Indiana Magazine of History,* X; the various county histories.

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pour the liquid into one vessel and boil down to a quart. Add a pint of good French brandy and a pound of loaf sugar."

Or, take the following recipe for "yaller janders" (yellow jaundice): "A double handful of the bark of wild cherry root, an equal amount of bark from the root of the yellow poplar, a like quantity of sarsaparilla, same of red sumach roots, and half that amount of bitter root. Boil them in two gallons of water until it is reduced to one-half gallon. Strain and let it simmer down to one pint. Mix this with a gallon of hard cider, shake it well and add two ounces of madder. Take a half teacupful three times per day." These and others at hand illustrate the practice of the herb doctors or "botanic physicians," as they called themselves. They have only recently disappeared. The concoctions were intentionally made as bitter and nauseous as possible. In most cases the medicine was called "bitters."

There were a few physicians in the State who had been trained in the east, but the greater number were strictly home-grown. As a result, this period was the heydey of the quack, who either came from the east or operated from some eastern city. The treatment of the best physician of that time seems rather bloodthirsty to us. Taken as a class, however, they were honest, trying to the best of their ability to serve their fellow sufferers.

The herb doctors, or the "Botanic School," led a spirited fight against the other school of practitioners, whom they called the "calomel doctors." The calomel doctors won out in the long struggle, and the reputation for quackery has fastened itself on the "yarb" doctor just as it has on the "wildcat" bank and the "deestrick skule."

The "Thompsonians" were a school of physicians who took a middle ground between the "calomel" and

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the "botanic" schools. They relied very largely on vapor treatment. Diseases should be sweated out of the system was their theory. A special chair was manufactured known as the "vapor bath chair" and sold widely throughout the State. Whatever the disease might be, the patient was clapped into the "vapor chair" and steamed as nearly to death as was thought safe. This treatment was supplemented usually by liberal doses of "white walnut" pills. The vapor treatment was perhaps the least harmful of all the panaceas then in vogue.

The people were an easy prey to all kinds of knavery; sure cures for cancer, consumption and other prevalent diseases, especially "milk sickness," made their regular appearance. An example, taken from an advertisement in a leading paper, will suffice: Fontain & Son, chemists of the Royal University of Paris, after long experiment, had at last found a certain cure for the dread disease, consumption. They named their discovery the "Restoration Francaise." The son, Louis, at once came to America and opened an office at Washington, D. C. By way of advertisement he offered through all the churches of Indiana to give an eight-franc bottle to any poor person who would leave his name and address with the preacher.

Lobelia was a standard nostrum with the "botanics," so much so that they were frequently called in derision the "lobelia doctors." The standard lobelia prescription was as follows: "Fill a jar with the green herb, lobelia, well bruised and pressed, and for every quart the jar will contain add four or five pods of red pepper. Then pour on enough good whiskey to cover the herb and let stand. The longer it stands the better." This was called a sovereign remedy for phthisic, croup, whooping cough, colds and catarrh. The doctor quoted, says he had administered it with excellent effects to infants not a day old and to the

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aged long past three score and ten. Another kindly doctor adds that no careful man will be without a jar of good lobelia in the house, which, together with a judicious use of warming teas, "such as pennyroyal, catnip, balm, sage, etc., will save many dollars in doctors' fees, as well as many children's lives."

The foregoing are sufficient to show the struggle that was going on in our State during this period. We are at first disposed, as Eggleston unfortunately did in another field, to hold the whole society up to ridicule. Nothing would be more unfair or dishonorable. These men were as a rule as honest as physicians are today. The superior skill of our physicians now is due in no small degree to the patient work of the pioneers.[5]

## § 83 State Charities

Organized charity or philanthropy was unknown among the earliest settlers. If a man's house burned or he met disaster in any way, his immediate neighbors helped him to the best of their ability. Neighborly kindness was more in evidence then than now. Neighbors sat up with and nursed the sick and buried the dead. There were no professional nurses nor undertakers. The deaf and dumb, the blind, the lame, the insane, and the feeble minded were a burden to themselves and their friends. The township trustee gave out a little aid reluctantly to some of the unfortunates. Just preceding the Civil War the counties began to establish poor asylums where the worthy poor were given a home, but this has proven anything but satisfactory.

The hard times following the panic of 1837 caused a great amount of suffering. As early as 1839 the attention of the General Assembly was called to the miserable condition of the insane, then kept as criminals in the county jails. The State was not in a financial

[5] Dr. G. W. H. Kemper, *A Medical History of Indiana.*

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condition to undertake any systematic relief. The most that could be done was to awaken the public conscience. Expert physicians from the east lectured at different points in the State, and especially before the General Assembly, on the treatment and care of the insane. Governor James Whitcomb, a New Englander by birth and a graduate of Transylvania University, took a deep interest in such matters. Among other things he collected reports from the county sheriffs on the numbers and condition of the insane in 1842. The General Assembly of that year authorized the governor to gather data from other States on the manner in which they cared for their insane. As a result of this the General Assembly in 1844 levied a small tax for the purpose and the next year a commission drew up plans and arranged for the purchase of the farm of Nathaniel Bolton, on Mount Jackson, immediately west of Indianapolis. In 1847 the central building was erected on this site at a cost of $75,000. Since then the State has cared in an adequate manner for such unfortunates.

In 1843 William Willard, a mute from the east, visited Indiana and established a school for his fellow defectives. The work was looked upon with favor, and in 1844 the State opened a school with Mr. Willard in charge. Such men as Henry Ward Beecher and Bishop Matthew Simpson took an active interest in the work. A site for a school, 130 acres, just east of Indianapolis, was purchased in 1846, where, by 1850, a spacious building was erected. The school has been entirely successful and still flourishes.

The founder of the blind asylum of Indiana was William H. Churchman, himself blind. He was born in Baltimore and educated in Pennsylvania. He began teaching in 1839. James M. Ray, of Indianapolis, visited his school in Louisville and at once became interested in the work. A small appropriation in 1845-6 enabled Mr. Ray and Mr. Churchman to visit

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different parts of the State and awaken an interest in the condition of the blind. The ministers, as usual, assisted in the charitable work, Mr. Beecher taking the lead. The friends of the unfortunate blind were at first reluctant to let them go from their immediate care. Finally, Mr. Churchman and his friends found twenty blind persons who would attend, and twenty-eight more who were eligible and friendly to the undertaking. With these the asylum was opened in Indianapolis in 1847. The school grew slowly but surely and during the next ten years earned for itself a place in the public confidence.[6]

[6] George W. Cottman in *Indiana Magazine of History*, March, 1914. Goodrich and Tuttle, *History of Indiana*, ch. 34. The newspapers of the decade from 1840 to 1850 contain the popular discussions of this question. The public interest which from 1827 to 1840 had been absorbed in internal improvements was turned to schools and benevolent institutions.

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# CHAPTER XIX

## THE MEXICAN WAR

### § 84 Texas and Oregon Questions

As early as 1820 young men of Indiana became interested in Texas. The extraordinary offers of land by Moses Austin and others who had received large land grants from the young Mexican Republic attracted these adventurers. Visiting New Orleans in the flatboat trade, they heard with astonishment the stories of border life. The decade from 1840 to 1850 in Indiana offered little inducement to the adventure-loving sons of the old Indian fighters, while the Texas country, covered with herds of buffalo, almost surrounded by warlike Indians and Mexicans, and inhabited by such renowned heroes as Bowie, Houston, Crockett, and Travis, had for them a resistless fascination. After a month's trip on a flatboat, finding themselves at New Orleans in the opening of the spring, with more money in their pockets than they had ever had before, with romantic Texas, easily reached on one hand, and far-away, prosaic Indiana, reached by a tedious upstream trip in a rowboat, or a walk of 1,500 miles, on the other hand, it is not hard to understand how many of the young flatboatmen in the early days drifted into Texas.

Many of them, after a stay of a few years, returned to tell the folks at home of the wonderful country. Their letters, as well as the accounts of the heroic war of liberation in Texas, and the fight of the warriors at the Alamo, were printed in the Indiana papers and eagerly read.

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Keeping these conditions in mind, one can appreciate the dismay with which the Whigs learned that the Democratic National Convention in 1844 had discarded Van Buren, who opposed the annexation of Texas, and had nominated Polk, who favored it.[1] "What a result!" said one of the leading Whigs when he heard what the convention had done, "it has nominated a man of no distinction, a Southerner, a slaveholder, an anti-tariff man, a sub-treasuryite, and a Texas annexationist."[2]

His attitude on Texas, together with the fact that Polk favored the annexation of Oregon, whither many Indianians had gone in the last ten years, insured his carrying Indiana.[3] Could the voters of Indiana be expected to support a man who would disown and cast off hundreds of their friends and relatives who had gone to Texas and Oregon? Not even the great personal popularity of Clay could induce them to do it.

## § 85 Indiana Militia in 1846

In territorial times, and for many years after Indiana became a State, the militia was kept in good condition. Every man took his place in the organization. The leading men of the State were proud to be its colonels and generals. On training day the companies vied with each other in the expertness of their drill, in the attractiveness of their uniforms, and the condition of their arms.

As the terrors of the War of 1812 were forgotten, and the Indians, year by year, disappeared from the State, the interest in military affairs decreased. In the Black Hawk War, 1832, the State was able to call out some fairly good companies of soldiers. But as there proved no need for them, no permanent interest was

[1] *Indiana Journal*, June 29, and July 6, 1844.
[2] *Indiana Journal*, June 8, 1844.
[3] *Indiana Journal*, Nov. 23, 1839.

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aroused. In fact, Major Beckes' company became mutinous and Colonel Russell's battalion was made so much sport of by the newspapers that the militia lost rather than gained prestige. By 1840 the "cornstalk" militia had become a joke.[4] The law, nevertheless, remained on the statute books.[5] The militia officers had become purely nominal, without duties. Neither did the State have any arsenal nor munitions of war of any kind. At the beginning of the year 1846 the State had a few hundred old muskets, yagers, pistols, carbines, and perhaps 500 Hall's rifles. Even these were scattered over the State, stored away in barns and other similar places. The State also possessed one six-pound cannon. The law permitted organized companies to draw these old arms and use them for training purposes. Many of them were very properly thrown away by the militiamen as soon as they were received.[6] An adjutant-general was still among the State officers and drew a salary of $100 per year.

David Reynolds, who held the position of adjutant-general when the Mexican War began, was a man of energy and judgment, though entirely ignorant of all military affairs. His tireless activity made up in a large measure for this deficiency of military knowledge and the lack of preparation by the State. The General Assembly of 1847 rewarded his efforts by raising his salary to $250.

The last report of the State militia to the ordinance office of the United States had been made in 1832. There were in 1846 a few companies of organized

[4] *Laws of Indiana*, 1843, ch. VII. The militia law of 1831. This latter was printed separately and is very rare.

[5] They were called the "Cornstalk" militia because they frequently used cornstalks instead of guns on training day and because the only distinctive parts of their uniforms were the corn-tassels in their caps.

[6] Report of the Quartermaster, Samuel Beck, Nov. 30, 1845. *Documentary Journal*, 1845-6, pt. II, 45.

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militia, but the State had no record of them. There were, it seemed, two colonels, but not a general of either brigade or division, the only officers whose duty it was to report to the State Adjutant-General.[7]

Since 1836 there had been a constantly growing interest among Indianians for Texan affairs. It was heightened by the Texas Declaration of Independence, the recognition by President Jackson, March 3, 1837,[8] by the various proposals for annexation, by the annexation itself in 1845, and by the dispatch of General Zachary Taylor with an army of occupation to the disputed country.[9] As he crept slowly toward the Rio Grande with his army the conviction deepened that war would result. Finally, May 13, 1846, came the declaration of war,[10] the news reaching Indianapolis May 21, in time for the papers of May 23.[11]

## § 86 Organizing the Indiana Brigade

May 16, three days after the declaration, the United States secretary of war, by letter, required of the governor of Indiana three regiments of volunteers. The governor received the requisition during the evening of May 21 and issued his proclamation the next day.[12] Along with the proclamation was sent a memorandum

[7] The adjutant general reported that while it was true the system had undergone a general paralysis the martial spirit of the people was not extinguished. A number of energetic independent companies and a few regiments of district militia had survived the general disorganization. Report of Adjutant General Reynolds, Nov. 29, 1845. *Documentary Journal*, 1845-46, pt. II, 37.

[8] *Messages and Papers of the President*, III, 281.

[9] Lew Wallace, *An Autobiography*, I, 102, *seq.* "I wanted the war, thinking of little else, and I went about hunting news and debating the probabilities. I haunted the *Journal* office. My pockets were full of newspapers, especially those of New Orleans and New York."

[10] *Laws of United States*, 1846, ch. XVI.

[11] *Indiana Democrat*, May 23, 1846. See also Governor's Proclamation, May 22, 1846.

[12] *Documentary Journal*, 1846, pt. II, 8.

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of the directions of Congress, enacted May 13, for arming and equipping the militia.

Each regiment was to consist of a colonel, lieutenant-colonel, a major, and an adjutant who was also a lieutenant of one of the companies. These were called the field officers. There were, besides, a sergeant-major, quartermaster-sergeant, and two musicians. Each regiment was composed of ten companies, each containing one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, two musicians, and eighty privates. A full regiment thus consisted of 937 men, or a total of 2,811 men to be raised in the State.

The governor designated Camp Clark, just east of New Albany, as the meeting place or rendezvous of the little army. The proclamation gave any citizen of the State the privilege of organizing a company.

With the news of war, a wave of military enthusiasm passed over the State. Mass meetings were held in the larger towns, where popular speakers inflamed the younger men with stories of martial heroism. The declaration of war was read and almost everywhere approved. At Indianapolis it was solemnly resolved, on motion of the circuit judge, "that the war ought to be carried into the enemy's country and the Star Spangled Banner planted in the city of Mexico on the halls of the Montezumas."[13]

Lew Wallace, then a young man of nineteen years, opened a recruiting office at Indianapolis, enrolled a company, and had it organized in three days. The nearest railroad, in fact, the only railroad in the State, ran from Edinburg to Madison. Patriotic farmers hauled the volunteers in their wagons to Edinburg, whence they proceeded by rail to Madison and thence by boat down to Camp Clark.[14]

[13] Lew Wallace, *An Autobiography*, I, 115.
[14] *Madison Banner*, May 27, 30, 1846.

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The response was similar from all parts of the State. Captains William Ford and Thomas L. Sullivan had two companies ready in a short time at Madison. Capt. William Walker of Evansville at once tendered the services of the "Indiana Riflemen," a volunteer company of which he was captain. Two companies came from Fort Wayne by way of the Ohio canals and the Ohio river. Capt. Spier S. Tipton's company from Logansport passed Indianapolis June 12; Capt. H. S. Lane's company from Crawfordsville reached Indianapolis June 13, on its way to New Albany. By June 10, the State requisition was filled and the thirty companies accepted; by June 20, all had arrived at New Albany and were ready to embark for New Orleans.

At Camp Clark the volunteers began to experience some of the realities of war. The weather was hot and the camp equipment poor. There was a great deal of politics and consequently a great deal of dissatisfaction in the election of officers. The governor and lieutenant governor were on the grounds, and the Whigs charged that they were there to see that their political favorites were properly cared for.[15]

The State treasury had been empty for eight years previous to the outbreak of the war. At no time in its history have the State's finances been in a worse condition than in 1846. The governor at once appealed to the branches of the State bank. Most of the branches

[15] Lew Wallace, *An Autobiography*, I, 116. It was also charged that the president handed out commissions in the army in return for votes against the Wilmot Proviso. *Indiana Journal*, April 2, 1847. The *Indiana Journal*, June 7, 1847, said the election of Col. William A. Bowles for the responsible position of colonel was directly due to the intrigues of Governor Whitcomb. The *Wabash Express* referred to Dunning as the "big dog" around the encampment, *State Journal*, July 15. For a commentary on the miserable, petty politics employed in organizing the troops, see Dunning's letter in his own defense, *Journal*, Nov. 20, 1846. See also Thomas O'Neal's letter in the *Journal*, Dec. 15, 1846.

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responded at once. Madison, Indianapolis, Lawrenceburg, New Albany, Evansville, Fort Wayne and Lafayette placed from $5,000 to $10,000 each at the governor's disposal. The South Bend, Michigan City, Vincennes and Terre Haute branches were either unable or unwilling to aid.

With the assistance of these loans the State was able to place its quota in the field in nineteen days. Besides the thirty companies received, twenty others had applied to the governor for service before June 17.[16]

The volunteers spent about two weeks at Camp Clark.[17] They were mustered into the United States service June 19.[18] General John E. Wool, Governor Whitcomb and Lieutenant Governor Paris Dunning reviewed the troops on the 20th. Tents were drawn, one for each six men, rations distributed, and the Indiana Brigade went into regular camp. At first there was some objection to drinking the warm river water, but no serious sickness resulted.

On July 3, Col. James P. Drake announced that the First Regiment would embark on the 5th. After firing a few rounds with cannon, the soldiers settled down to hard work on the Fourth of July and by sunrise of the 5th they were marching aboard the steamboats "Grace Darling" and "Cincinnati."

The First Regiment reached New Orleans, July 11. The six days' journey down the river had given the troops an impression that war was about the most pleasant occupation possible. They received their first shock, however, when they went into camp in the thin mud on the river bank below New Orleans. Their vision of glory began to fade. Several men had died on the trip down. A considerable number were sick. There was no dry ground on which to stretch their

[16] *Indiana Sentinel*, June 17, 1846.
[17] This was frequently called Camp Whitcomb.
[18] *Indiana Sentinel*, June 27, 1846.

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tents. Having no straw nor brush, they spread their new blankets on the wet ground. Soon the muddy slime had worked its way through the thin blankets. The camp took on the appearance of a hog-wallow. The weather was hot, but the air was too moist to dry the muddy blankets.

Four days were spent by the Hoosier volunteers on the glorious slime-covered battlefield of New Orleans before ships could be secured to carry them across the gulf. They then embarked on two small vessels.[19] On the gulf other new experiences awaited the volunteers. They had cleaned up their blankets and new regimentals as soon as the gulf breeze had dried the mud into harmless sand. But seasickness struck them with worse damage to their new clothes than had been done by the New Orleans mud. A volunteer from Hendricks county died and was buried at sea. The melancholy sight made a deep impression on the men. One of the transport ships was eleven days on the trip, having been driven out of its course by a storm; others crossed in three days.[20]

## § 87 Campaigning in Mexico

The Indiana Brigade landed at Brazos, thirty miles from Matamoras. The Soldiers were disappointed at finding nothing but a barren, sandy coast where they

[19] The soldiers commented on the enormous size of these ships; one, the "Flavio," was of 640 tons burden, the other of 350 tons.

[20] The following from a letter printed in the *Brookville American*, Aug. 21, 1846:

"Imagine two hundred men stowed away in a small brig with a four and one-half foot hold. All of her crew with two hundred volunteers to sleep in that hold; warm nights and sometimes a heavy sea; the hatches all down, without a window or an air hole; to live on coffee, slop fed food, meat and dry crackers; half the men seasick and spewing all about you; sometimes you would find yourself eating and some one close by would let slip right on your dinner and your clothes; and then you will imagine how pleasant our trip was from New Orleans to this place."

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had expected a large city. A hunter's hut was the only sign of human habitation. Two ships were wrecked on the sandy coast, but no lives were lost. Measles and dysentery, due to bad drinking water, broke out in the camp at the mouth of the Rio Grande. Colonel Drake reported that one hundred of his command were sick, August 5.[21] Thirteen had died by September 1. The First Regiment was left indefinitely to guard imaginary supplies at this camp at the mouth of the Rio Grande. The other two regiments camped sixteen miles farther up the river.

Colonel Drake visited General Taylor and asked permission to remove the First Regiment from the unhealthful camp, but the request was refused. Here, then, they remained until December 10, when all three Indiana regiments started up the river to join the main army. After a short march the First Regiment, to its great disgust, was again ordered back to the mouth of the Rio Grande. The Second and Third Regiments continued their march, reaching Monterey shortly after Christmas, and Saltillo January 1, 1847.

General Taylor had gradually crowded the Mexicans south past Monterey to Saltillo. The Mexicans under Santa Anna gathered head again at San Luis Potosi, 200 miles to the south. At this time Gen. Winfield Scott took active command of the troops of the United States, and ordered Taylor to send him most of his seasoned soldiers to aid in a march on Mexico from Vera Cruz.

The departure of the regular troops compelled Taylor to gather his little remaining army closer together. The Indiana regiments were ordered up to join the other troops at the front at Saltillo. A scouting party of eighty Kentucky cavalry was surrounded and, on the night of January 21, captured at El Salado, ninety miles south of Saltillo.[22] A captain escaped and

[21] *Indiana Democrat*, Aug. 11, 1846.
[22] *Indiana Sentinel*, March 17, 1847.

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returned with the news that Santa Anna with an overwhelming army was rapidly advancing on Saltillo. Taylor at once decided to take a position in a mountain pass five miles south of Buena Vista, through which the road to San Luis Potosi passed.

Here on the afternoon of February 22, the little American army of 5,000 men was confronted by Santa Anna with an army of 20,000 men. General Wool arranged the line of battle. The seasoned troops were stationed in the pass, expecting a direct frontal attack, while the Illinois, Indiana and Kentucky volunteers were stationed far out on the left flank to prevent the Mexicans coming around that wing, the Second Indiana occupying the extreme left.

The Americans took up their position about the middle of the afternoon of February 22, 1847. A short time before this, clouds of dust had been seen rising in the south. An hour later the advance guard of the Mexican army appeared before the fortifications on the main road and demanded that the Americans surrender. After a show of fight there, a brigade of Mexican light troops marched up the ravine and attacked the Indiana and Illinois volunteers. The fighting continued till dark at that point without advantage.

The tired troops slept, or tried to sleep, where they had fought. Some of them have related how they sat up and watched the fitful flashes of the sentinels' guns as they kept up a spattering fire through the night. One of them was reminded of the fireflies hovering over the meadows at home on a summer night.[28] At daybreak the soldiers were ordered into line just as a Mexican band began to play their national air. A battery of five eight-pounders had taken position on the left of the Indianians, and, as they were moving forward to support this, two Mexican divisions, 7,000 strong, marched out of the ravine in their front and formed in

[28] James A. Cravens, Lew Wallace, *An Autobiography*, I, 169.

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battle line 100 yards away. The Indiana regiment, only 360 strong, was under the immediate command of its old colonel, Gen. Joseph Lane. As the Mexicans defiled from the ravine the Indianians dropped to their knees and the strange battle began, the Indianians outnumbered eighteen to one. A battery of five guns supported the Hoosiers. While the battle was going on, General Lane sought to make the American fire more effective by moving his men up closer. Just at this time a second column of Mexicans appeared on the left. Seeing these, or thinking the battle lost, and that it was best to save what men he could, Col. William A. Bowles, who was at the opposite end of the line from General Lane, gave the order to retreat. Thus, while the left of the line started forward in obedience to General Lane's order, the right began to fall back at the command of its colonel.

The retreat soon became a run. Twenty of the men never stopped till they reached the buildings of the ranch at Buena Vista. General Lane, Lieutenant Colonel W. R. Haddon, and Colonel Bowles succeeded in reforming 190 of them, who, along with the Third Indiana and a Mississippi regiment under Col. Jefferson Davis, returned to the field in time to join in the final attack on the charging Mexicans. Under their own officer, Lieutenant Colonel Haddon, and formed on their own colors, they helped as bravely as any other troops to restore the lost battle.

These details have been given in order to show exactly what part the Second Indiana took in this battle. General Taylor, in his official report, said: "The Second Indiana, which had fallen back, could not be rallied and took no further part in the action, except a handful of men, who, under its gallant Colonel Bowles, joined the Mississippi regiment and did good service." In another place General Taylor in his report said: "Arkansas, Kentucky, Illinois, Mississippi, Texas, and

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some Indiana men had fought hard all this dreadful day." As evidence of this latter his own official report shows that the Second Regiment lost 107 of its 360 men; 90 of these fell in the morning, while opposing more than 7,000 Mexicans on the open field. The time during which they stood under fire is shown by the fact that they fired twenty rounds each. Santa Anna in his official report said his men were on the point of retreating when the American line broke. Had not the stupid blunder been made by the officers of the Second Regiment, the Mexicans might have been routed and the glory of the battle instead of its disgrace would have belonged to the Indianians.

The fault lies deper. The officers of the volunteers were all petty politicians. Indiana had competent men, trained for war, but through political juggling not one of them was called into service. Of the three colonels and one brigadier general, not one could have led a company through the manual of arms. Two of them later learned the manual at least, but Colonel Bowles, of the unfortunate Second, did not. His election to the colonelcy was very questionable, and he had never pretended to drill his regiment. Gen. Joseph Lane and Col. James H. Lane quarreled incessantly, and a duel between them was pending at the time of the Battle of Buena Vista. The First Regiment was left at the mouth of the Rio Grande and forbidden even to move its camp out of the swamp. Seventy of its members were buried there, where the wind and tide soon removed the shallow covering of sand and left their bodies to the birds and wild animals. From this same Camp Belknap 259 men were sent home sick. Many of them died on the way. All three of the regiments felt, with what seems at this date and distance good reason, that they had been intentionally neglected by the commander-in-chief. As an explanation, it may be that General Taylor did not care to risk his fortunes in

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the hands of officers selected as he and General Wool knew the Indiana officers had been. At any rate, the regiments that went away to war carrying flags made and presented by patriotic women, feasted and toasted at every opportunity, hauled in wagons by admiring farmers and finally praised by every expectant politician, returned a sickly, sorry, quarrelsome wreck with doubtful reputation for soldierly discipline and bravery. The fault, however, was not with the men.[24]

The war was not over. April 24 Governor Whitcomb received a requisition for a fourth regiment. This was organized at Camp Clark June 16, under Col. Willis A. Gorman, and dispatched from New Albany, June 27. They were ordered to Brazos to join General Taylor. September 3 they were at the mouth of the Rio Grande on their way to Vera Cruz; September 16 they arrived at Vera Cruz.

August 31 a requisition for a fifth regiment was received. This was organized at Madison and mustered into service October 22, under James H. Lane, formerly

[24] For the facts in this tangled chapter of our history, see Lew Wallace, *An Autobiography*, I, 163, 193. The *New Albany Democrat*, Aug. 24, 1848; this latter paper contains the correspondence between General Taylor and John Defrees and George G. Dunn; Oran Perry, *Indiana in the Mexican War, passim;* Official reports are to be found in the *Documents of the Mexican War; Documentary Journal of Indiana*, reports of the Adjutant General; manuscript correspondence of George G. Dunn contains many letters bearing on this question. A detailed report by Lieutenant Colonel W. R. Haddon is in the *Western Sun*, Aug., 1848. The best study of this period is a manuscript entitled "Indiana and the Mexican War," by R. C. Buley. As soon as Taylor was nominated for the Presidency Indiana politicians began to criticise him for his report on the Second Regiment. A court martial exonerated the soldiers from cowardice and shifted the blame to Bowles and Lane, but the quarrel continued. The net result of this and the Dunning affair was to leave a cloud on the reputation of the State and its soldiers. The fault was in the petty politics that put Bowles and Lane in such responsible positions and in 1848 used the record for partisan purposes.

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colonel of the Third. It embarked for Vera Cruz, October 31.[25] It reached that place November 24, after experiencing a severe squall on the gulf. By the last of July, 1848, these troops had all returned, having acquitted themselves nobly in the march on Mexico. Gen. Joseph Lane won especial honors in this campaign. A season of barbecues followed, the battle flags were presented to the State amid solemn ceremonials, and the chapter was closed. The State had furnished promptly a small army of five thousand men, who had marched and fought creditably.

[25] *Documentary Journal*, 1847-8, 290-91.

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## CHAPTER XX

### THE CONSTITUTIONAL CONVENTION OF 1850

### § 88 EARLY AGITATION FOR REVISION

BY the terms of the constitution of 1816 it was provided that every twelve years a referendum vote should be taken on the advisability or necessity of calling a constitutional convention. It was the generally accepted theory then, as laid down in the writings of Jefferson, that one generation had no moral or legal right to bind by constitutional limitation a succeeding generation. It is hardly probable that the framers of the constitution intended by this provision to prevent the citizens of Indiana from calling a constitutional convention at any time they chose. It is more probable that it was intended by this referendum to insure each generation two chances of holding a convention in spite of an opposing General Assembly. It must be kept in mind that the immediate followers of Jefferson looked with favor upon the constitutional convention as one of the most effective institutions of popular democracy.[1]

There appears to have been very little demand for a new convention for a long time after 1816. As one of the opponents of calling a convention said in 1847, "The people of Indiana are attached to their constitution. It is the work of their forefathers. Under it for thirty years they have enjoyed a degree of prosperity unsurpassed by any State in the Union."[2]

The cause for calling a constitutional convention

[1] Prof. C. B. Coleman in *Indiana Magazine of History*, VII, 41; Jacob Platt Dunn, *Ibid.*, VII, 100.

[2] George W. Julian, in Indiana House of Representatives, *Tri-Weekly State Journal*, Jan. 15, 1847.

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among English speaking people is always found to be insistent and acting through considerable periods of time. The American people generally have not lightly called into activity such revolutionary bodies. There has always been some deepseated dissatisfaction. There were several minor defects in the working of the State and local governments under the first constitution, but the chief ground of complaint was the working of the General Assembly. The State had been led by this body into a gigantic system of internal improvements in which it had lost more than twelve million dollars. Its reputation became deeply involved in this debt. Indiana bonds were hawked about the eastern markets as low as seventeen cents on the dollar. A gang of hungry office-holders had been and still were robbing it; and the General Assembly seemed unable or unwilling to shake them off. The annual meeting of the General Assembly seemed to be an unnecessary expense and the annual elections kept the people in a political turmoil. Moreover, the General Assembly was neglecting the affairs of the State and giving its time and attention to hundreds of petty private affairs. A reading of the titles of the special laws of any session will give one an idea of the petty jobbery that was carried on by means of special laws.

With all this dissatisfaction the demand for a convention, if we are to take the votes on the subject as evidence, was not strong. There is scarcely any mention of the vote on the subject up till 1846. A referendum had, however, been taken in 1823, only seven years after the constitution went into effect.[3] The vote was decisive against calling a convention. In 1828, four years later, the regular twelve year referendum was

[3] *Laws of Indiana*, 1822, 121. Each voter was directed by this law to indicate on the bottom of his ballot before he handed it in, whether or not he favored calling a constitutional convention.

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taken with a similar result.[4] During the following twelve years there was little agitation on the subject. The General Assembly of 1845, however, took up the subject. There was a spirited demand by a few energetic member for a convention. They succeeded in passing a law authorizing a referendum on the subject at the ensuing August election.[5] This was six years earlier than the constitution demanded a referendum, but the friends of the movement urged with force that the people had an undeniable and inalienable right to call a constitutional convention whenever they pleased.

The result of this referendum vote was that out of a total of 126,133 votes cast at the State election there were 33,173 for a convention, and 28,843 opposed. A majority of all the voters had not expressed themselves on the subject.[6]

When the vote was reported to the General Assembly, it provoked a serious debate.[7] It was generally agreed that the vote was not decisive; that it did not warrant the General Assembly in calling the proposed convention, but many members favored submitting the question again to a popular vote at the next August election. Other members opposed all agitation on the subject as calculated to bring politcal disquiet and unrest. The times, it was pointed out, were especially dangerous. The State was almost bankrupt, taxes were high, and times were hard. Of all times the present, it was urged, would be the worst to agitate a change in the fundamental law.[8]

[4] *Laws of Indiana*, 1827, 22.

[5] *Laws of Indiana*, 1845, 97. This convention should have power to "alter, revise, or amend the constitution."

[6] *Tri-weekly State Journal*, Jan. 15, 1847.

[7] *Tri-weekly State Journal*, Jan. 13, and Jan. 15, 1847. The debate is given almost in full. Henry Secrest of Putnam county, John Yaryan, Cyrus L. Dunham of Washington and George W. Julian of Wayne, were the principal speakers.

[8] The committee to which it was referred in the House favored a convention. The debates are given in the *State Journal*, Jan.

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In spite of the efforts of a determined group of members, the question was not favored by the Assembly. It is noticeable that what might be called the professional politicians avoided taking sides in this discussion. The referendum in 1846 was not mentioned in the leading papers, and evidently was not discussed on the stump. The governor in reporting the result of the vote in his annual message made no recommendation that might be construed into a position.

The demand for a convention, however, did not cease. The Democratic party, in general, favored the proposition. The court practice, they said, was especially costly. Probate courts and associate judges were popularly regarded as worse than useless—they were meddlesome. The justices had once been the chief officers of the county, but since a board of commissioners had taken their duties, they had become petty politicians, valuable only to those who wished to bribe a court or corrupt a jury.

Many good citizens, regardless of party, also looked upon the appointing power of the governor as a source of much evil. They thought that the auditor, treas-

13, 1847. The minority, all Whigs, made an unfavorable report. This was written by John Dowling, a Whig editor of Terre Haute. The following editorial of the *Indiana State Journal*, Jan. 5, 1847, sums up the opposition or Whig argument: "A change in the fundamental law should not be made for trivial causes. It ought to be made only to abrogate some great wrong resulting from its provisions. Frequent changes impair the respect in which a constitution, to be valuable, ought to be held by the people. We hold that when a mode of changing the constitution is provided by the constitution itself that any other mode is wrong. It must be done by that mode. Any other course is revolution itself. Our constitution has such a provision. The present assembly nor the past has any right to call a convention or submit the question to a vote. The vote of last August was not a warrant for a convention. It was less than half that polled for governor. This legislature clearly has no right to make provisions for calling a convention. There is no demand. No part of it is oppressive. It is better than can be made now." Then comes the prosperity plea. It is a fine statement of the conservative argument against change.

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urer, and other State officers should be elected by the people rather than by the General Assembly. The recent attempt by the governor to barter nominations to the supreme court for a seat in the United States Senate had given a concrete point to the general demand to limit the appointing power of the governors. By 1849 Governor Whitcomb, sure of his promotion to the United States Senate, came out openly for a convention in his annual message. He no doubt put his finger on the weakest point in the government under the old constitution when he emphasized the evil of private and local legislation. In the annual volumes of laws for the previous four or five sessions the local laws had outnumbered the general five or six to one. In the volume of 1849 there are 343 acts published as "Local Laws" and 273 as "General Laws," of the latter over 200 being strictly "local." The time of the whole session was consumed in political jockeying and log rolling.[9] The annual volume of laws noted above contained 616 laws and thirty-seven joint resolutions.[10]

[9] Prof. James A. Woodburn in *Indiana Magazine of History*, X, 238.

[10] One of these laws changed the name of Belsora Barsheba Inglewright to Belsora Barsheba Thompson. Another permitted Charity Ann Wise to sue for divorce in Marion county, instead of in her home county. The following editorial stated the Whig position: "The General Assembly will have to prepare for the Constitutional Convention. We hope an early day for an election of delegates and the meeting may be fixed. These members ought to be elected at the April election and meet in June. Let the result be voted on in October. No party consideration ought to hold in selecting delegates. If the election is held in August it will be partisan. We voted for a Constitutional Convention because we wanted the following changes: Biennial sessions; election of judges and all other officers; a general banking law; a homestead exemption law, fines to go to the school funds of the township. Most important of all, elections by the legislature are corrupt. The course of Governor Whitcomb ought to settle such elections forever."

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## § 89 Organizing the Convention

The General Assembly of 1848 took up the convention question and passed an act submitting the question of calling a constitutional convention to the voters.[11] A large majority of the votes cast at the ensuing August election were in favor of calling a convention.[12] The following General Assembly by act approved, January 18, 1850, ordered an election of delegates. The election was held at the same time and in all essential parts was the same as an election of members of the General Assembly. There were 150 delegates chosen from the same districts as the members of the House and Senate, except in two unimportant districts.[13] There was little interest in the campaign as far as electing delegates was concerned. It was hoped by many to make the elections non-partisan, but such was not the case as a rule. It seems true, however, that the Whigs, being in a minority, took considerably less political interest in the election than the Democrats.

A caucus of the Whig members of the General Assembly declared in favor of a constitutional convention and especially urged that the following changes be made in the constitution. All officers should be elected by popular vote; the General Assembly should be pro-

[11] *Laws of Indiana*, 1848, 36. The first bill introduced in the House and the fourth in the Senate were the convention bills. The records bear no evidence of the discussion, if any was had. The votes usually stood about 60 to 40 in the House. The only parts of the act that seem to have been debated related to the number and selection of the delegates. One facetious representative, in answer to the evident tenor of this discussion, moved that the House appoint each member a delegate. They finally did the nearest possible thing to this by making each Assembly district a delegate district.

[12] The vote stood 81,500 for and 57,418 against. The total vote cast for the candidates for governor was 147,232 (no report from Fayette). The affirmative majority for the convention was thus about 8,000.

[13] *Laws of Indiana*, 1849, 20.

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hibited from borrowing money except for urgent necessities; the county seminary funds should be transferred to the fund for common schools; the General Assembly should meet biennially; local legislation should be prohibited; the number of offices should be reduced and the establishment of new ones forbidden; a homestead exemption should be provided; and more encouragement should be given to agriculture, mining, and manufacturing.[14]

In the county of Marion the Whigs offered to divide the ticket equally and make no contest, but the Democrats refused.[15] In Jefferson county the Whigs compromised on a ticket of two Whigs and one Democrat. There were some other instances in which fusion tickets were elected without contest, but fusion was not general. Of the 50 delegates from senatorial districts 33 were Democrats and 17 were Whigs; of the 100 delegates from representative districts 64 were Democrats and 36 Whigs. Of the 50 State senators elected at the time 33 were Democrats and 17 Whigs; of the representatives 62 were Democrats and 38 Whigs. It will thus be seen that the political affiliations of the members of the General Assembly and the constitutional convention were the same.

The delegates, 150 in number, assembled in the capitol building, October 7, 1850, and were organized by the secretary of State, Charles H. Test.[16] They were a representative body of citizens. The best known men of the State at the time, however, were not present. From our distance, one would say that Robert Dale Owen, Alvin P. Hovey, Thomas A. Hendricks, W. S. Holman, Schuyler Colfax and Horace P. Biddle were among its most distinguished members, but they

[14] *Indiana Tri-weekly Journal*, May 1, 1850.

[15] *Indiana State Journal*, May 1, 1850.

[16] *Indiana Tri-weekly Journal*, Jan. 3, 1850. A list of the delegates with their districts and party affiliations is given in the *State Journal*, Jan. 4, 1851.

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were young and mostly without wide reputation at the time. The really noted men of the convention as they gathered together for the first time, were Thomas D. Walpole, Abel Pepper, Daniel Kelso, James G. Reed, David Kilgore, Ross Smiley, Michael G. Bright, William M. Dunn, George W. Carr, David Wallace, Jacob Page Chapman, James Rariden and John I. Morrison. Seventy-five of the members had served in the General Assembly, thirteen of whom had sat in the last session. Twenty-five more made this the stepping stone to later legislative service. Fourteen saw service in the United States Congress; two later became governors, while one was an ex-governor. There were seven well-known editors, three of whom came from Indianapolis. The great Whig lawyers of the State were noticeably absent. A widespread prejudice against educated men existed at the time. There were three graduates of the State University and perhaps as many more were graduates of other colleges.

### § 90 Politics of the Convention

The spirit of Jackson controlled the convention. Daniel Reed, a delegate of Monroe and a professor in the State University, referred to Jackson as "a man of as remarkable sagacity as ever lived."[17] As a consequence of this Jacksonian influence it was attempted to strengthen democracy among the people by bringing the government nearer the voter. The secretary, treasurer, and auditor of State, formerly appointed by the General Assembly, were made elective. To these were added the new office of superintendent of public instruction to be filled by popular election. Besides the above, the judges of the supreme and circuit courts were made elective by the people for six-year terms.[18]

[17] *Debates and Proceedings of the Convention*, 221.

[18] A significant provision in this connection was the section providing that the State publish the decisions of the supreme

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The prosecuting attorneys and the local justices, all formerly appointed, were made elective, the former by the voters in the judicial circuits and the latter by the voters of the townships. In the county the voters were made the electors of a clerk of the circuit court, an auditor, recorder, treasurer, sheriff, coroner, and surveyor for each county. The General Assembly was given permission to establish other elective officers, a power which it has used quite liberally, if not frequently abused. Some of the officers so elected were eligible only for one term, but the majority were permitted to hold for two consecutive terms. In dealing with the suffrage, elections and office-holding, the general principles of Jacksonian Democracy then prevalent were applied. In general the convention made the most liberal application of the principles of manhood suffrage and popular elections. It was accused in many places of playing politics by allowing unnaturalized citizens to vote after one year's residence.

In dealing with the negroes, both free and slave, the convention illustrated the confused political notions of the times. It reenacted the provisions of the Ordinance of 1787 with a bruskness that indicated an absolute majority of Abolitionists, yet the provisions refusing negroes the right to vote or even to settle in the State are, in spirit, directly contradictory to the above enactment. Not only these provisions, but the speeches of the members on the question of slavery, show the utmost diversity of opinion. Not less than forty set speeches on slavery, few of them dealing with any question before the convention, were made by the members.[19]

court. Formerly these had been published privately by Judge Isaac Blackford. The charge was made that he neglected his official duties in preparing the opinions for the press and that he made too much money off the volumes.

[19] During the session James Rariden introduced a resolution endorsing the Compromise of 1850. This was done to break the

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In the article on the legislative department two important changes were made, both dictated by the overwhelming proof of experience. One change was the substitution of biennial for annual sessions of the General Assembly. The other forbade the General Assembly making special or local laws. In this field the granting of divorces by the General Assembly had occasioned most hostile criticism. For two years the churches had opposed this exercise of power by a legislative body. A former General Assembly had invested the State courts with power to try divorce bills, but the Assembly could not by its own act divest itself of the power and the abuse continued.

So far, heavy-footed experience guided the convention with a certain step. But when the subjects of education, benevolent institutions, corporations, and personal rights were reached, the members found trouble in coming to an agreement. In the field of education there was an effort made to give the convention a vision of its duty, but without success. The Constitution of 1816 is far more favorable toward education than is that of 1850. The seminaries were destroyed and there was a strong sentiment favoring abolishing the State University, giving all funds to the public schools.

Likewise the new constitution shows little influence of the awakening of the people to their duty to the unfortunate members of society. The newly established schools for deaf and dumb, blind, and insane are specifically provided for; but the wide application of benevolence made by the State at present finds no warrant in fundamental law.

In the field of corporations, compromise was effected between those on the one hand who favored

alliance between the Abolitionists and the Democrats in Indiana. It was a purely selfish political move and failed. It was condemned most severely by the *State Journal*, Feb. 22, 1851.

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a general law for all corporations and those who wished to re-establish a State bank, and those who opposed all corporate bodies. The article on "corporations" is a poor apology for the weary days of speechmaking on the kindred subjects of "debt," "banks," and "corporation control."

In the field of natural rights the fight was on the homestead exemption and on women's rights. No better evidence of the bigotry and the ignorance of the times exists than the attacks of the self-styled churchmen on Robert Dale Owen, who led the fight for women's rights. His victory is a tribute, however, to the open-mindedness and native honesty of the members.

Taken as a whole, it is not a great constitution. It suffers in comparison with the one it displaced. Its departures from that instrument in most cases are of very doubtful value. Its justification rests on the substitution of biennial for annual assemblies and abolishment of private and local legislation. On the other hand its critics rightly insist that the judiciary was weakened and a vast field opened for sinister partisan politics.

## § 91 THE NEW CONSTITUTION

THE convention adjourned Monday morning, February 10, 1851. It had been in session eighteen weeks. No event in the State's history had received as much attention and publicity. The daily papers, and many of the larger weeklies, published the proceedings entire from day to day or from week to week. Innumerable articles by citizens in praise or condemnation of the work appeared in the papers. Answers by the members in their own defense were equally plentiful. Editorials explained the work of the convention day by day and gave the editor's opinion of its value. It was an eighteen weeks' course in political science for the citizens of the State.

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The completed constitution was read at the last session of the convention on the morning of February 10. It appeared at once on the front pages of the newspapers, many of which repeated its publication in the three or four succeeding issues.[20] The convention ordered 55,000 copies of the constitution, 50,000 in English and 5,000 in German, printed for distribution. These appeared early in March.[21]

The convention had suggested that the new constitution be submitted to the people for ratification or rejection at the approaching August election. The General Assembly affirmed this suggestion, February 14, 1851, and the governor's proclamation followed immediately, directing the election officers to carry the order into effect.[22]

There was no organized opposition to the ratification. Both parties favored the new constitution. At the ensuing election every county gave an affirmative majority but Ohio. Starke county cast a unanimous vote for the constitution. The total vote was 113,230 for, and 27,638 against ratification, a majority of 85,592 out of a total vote of 140,868. The vote for the exclusion of colored persons was substantially the same, being an affirmative vote of 113,828 out of a total vote of 135,701.[23] Four counties, Lagrange, Randolph, Elkhart and Steuben voted against exclusion. The total vote on the constitution was little short of that cast for congressmen. The total vote in the ten congressional districts was 148,529. That there was no partisan opposition to the constitution is shown by this vote. The Democrats carried the State by a majority of only 9,469.[24]

[20] *Indiana State Journal*, Feb. 15, 1851.

[21] *Indiana State Journal*, March 15, 1851. They were printed for the New Albany *Ledger* at the Cincinnati *Gazette* office.

[22] *Indiana State Journal*, Feb. 22, 1851.

[23] *Indiana State Journal*, Sept. 20, 1851.

[24] *Indiana State Journal*, Aug. 30, 1851.

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The new constitution went into operation, November 1, 1851. The General Assembly elected in August, 1851, met as directed by the old constitution. The first general election under the new constitution was held in October, 1852, the old officers holding until the newly elected ones were qualified and took their positions according to law. There was no jar in the operations of the State government during the change.

One of the objections urged at first against a constitutional convention was that it would cost an enormous sum of money at a time when the State was almost bankrupt, and could ill afford to spend any money except for the most urgent need. The total expense for the eighteen weeks' session as shown by the State treasurer's report was $85,043.82.[25]

[25] *Documentary Journal*, 1851, 8; 1852, 7.

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## CHAPTER XXI

### POLITICS FROM 1840 TO 1852

### § 92 A BANKRUPT STATE

As soon as the political frenzy of 1840 had spent itself, the citizens of Indiana began to give their serious attention to the condition of their State government. One ugly fact stared them squarely in the face. That fact was that the State system of internal improvements was a failure. Long successions of mudholes marked the places where the people had expected to see hurrying boats bearing the produce of prosperous farmers to expectant buyers. For ten years the people had worked patiently, buoyed up by promises of ignorant and dishonest politicians in the hope of seeing their State provided with an adequate transportation system.

The financial condition of the State was alarming. The auditor reported that the total assessment valuation of the State had dropped from over $107,000,000 to $91,000,000. The income of the State from taxation had likewise dropped $170,901, leaving a net income for 1840 of only $192,786 from this source.[1] The current expenses for the year were $136,749. There would thus be left a sum of $34,152 to meet the interest at six per cent on upwards of $12,000,000 bonded debt.[2]

The outlook was gloomy enough. Turning away from the whole subject of internal improvement, the General Assembly gave its attention to governmental reorganization. The ways and means committee, to

[1] Auditor's report, in *Laws of Indiana*, 1840, 228.
[2] Treasurer's report, in *Laws of Indiana*, 1840, 236.

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whom was referred the auditor's annual statement for 1840, reported seven bills providing for a complete reorganization of the fiscal policy and machinery of the State.[3]

The first was entitled a "Bill to Value the Property of the State."[4] The law directed the county assessor, an officer created by the third bill of the list, to appraise the real and personal property of the State at its cash value. On this basis the State and county governments were to make tax levies. County and State boards of equalization were provided for. The second bill, when enacted into law, established and defined the office of county auditor, to be filled by popular election.[5] The fourth bill defined the county treasurer's duties; the fifth pointed out the mode of making tax levies; the sixth subjected the private stock in the State Bank to taxation the same as any other property; the seventh directed a levy of forty cents to meet the interest on the State debt.[6]

This revolution in the taxing system was accomplished by the Whig Party. A minority of about twenty-five representatives opposed all the measures. In the "Address of the Democratic Members of the Legislature," dated February 13, 1841, the measures were hotly denounced.[7] The prosperous condition of the State in 1834 was contrasted with the dismal outlook in 1840. The annual running expenses of the State in 1834 were given as $30,000; in 1840 they had mounted to $840,000. There was nothing to show for the expenditure except a few lines of stagnant pools and a bitter experience.

[3] *House Journal*, 1840, 306.

[4] *Laws of Indiana*, 1840, ch. I.

[5] *Laws of Indiana*, 1840, ch. II.

[6] *Laws of Indiana*, 1840, chs. I to IX inclusive.

[7] Vincennes *Western Sun*, Mar. 6, 1841. "The time has come for the people to take a hand. Demagogues, temporizers, gambling politicians must be put down. Is liberty worth such a tax?"

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The Whigs assured the taxpayers that the levy of forty cents would pay all the State debt. The fund commissioners likewise gave it as their opinion that the levy would soon put the State finances on a sound foundation.

The law, which is still in substance on the statute books, was good, but the party that placed it on the statute book was never given complete power again in the State. By one of those inexplicable turns in popular government public opinion grasped the Whig party, internal improvements, the high tax, and the ruined State, all in a single thought which neither fact nor argument seemed able to alter. Public opinion, as is usual, was right. The Whig Party had had complete control of the State government at least since 1834. During that time taxes had increased eightfold.[8] The party was guilty of flagrant misgovernment. Its punishment was not unmerited.[9]

The Democrats had found a vulnerable spot in the Whig political coat which they never failed to take advantage of. It made little difference what the Whigs proposed or what argument they adduced in its support, the sufficient political answer was "internal improvements." During the session of the General Assembly of 1841-42, a series of articles appeared in the

[8] For a clear indictment of the Whig Party see an address by Robert Dale Owen to the "Citizens of Posey county," August, 1841; published in the *Indiana State Sentinel*, October 11, and in the *Western Sun*, November 13. "Our State debt has run up in six years to one-tenth of all our property. Our tax is eight times as high as it was six years ago. Our bonds are hawked about at half price like those of a bankrupt. Our check for interest is dishonored. All is lost, save honor, and it is forfeited."

[9] The following election gave the Democrats fifty-six representatives and the Whigs forty-four. The voters c[illegible]ned that they had to pay 9 per cent. interest on their [illegible]s when money was worth only 6. The financial quest[illegible] tled by the "Butler Bill." See chapter on [illegible] ments." *Indiana Journal*, Aug. 28, 1841; [illegible] 1841.

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*Indiana State Journal* on the subject of the general responsibility for the internal improvements policy.[10] The author, who was thoroughly conversant with the facts, made it clear that many prominent Democrats were supporters of the policy, but he failed to acquit his own party. The Whig Party, having lost its spirit, had become a vast host, unorganized, reposing on their arms, their leaders fallen or deserted. Many who had formerly taken a fighting interest became sullen and disgusted, "stung with regrets" as an editor put it, and gave no more attention to politics.[11] The whole period from 1840 to 1846 was one of distress in Indiana. It was the long reaction after the debauch. The farmers pulled themselves together and plied their trade in dogged silence. Their pride as well as their prosperity was gone.

A committee of Whig members of the General Assembly at the close of the session issued a long, well-written address, but not even the eloquence of Theodore Barnett nor the sound sense of John D. Defrees could make much impression.[12] "Amid the ruin and desolation which surrounded the Hoosier affairs, they have only one thing to be proud of, and that is their supreme bench. This is an ornament to American jurisprudence," remarked Pleasant Hackleman, editor of the *Rushville Whig*.[13]

The Democrats played a waiting game. The salaries of the State officials were reduced, useless offices were abolished, and the bankrupt State government relieved of every burden possible.[14] The thoughts

[10] *Indiana Journal*, January and February, 1842.

[11] Indianapolis *Daily Journal*, Jan. 5 and 7, 1842.

[12] Indianapolis *Daily Journal*, Jan. 18, 1842.

[13] Indianapolis *Daily Journal*, June 7, 1842.

[14] "Our investigation into frauds of the system will exhibit a scene of villainy, fraud and corruption, scarcely, if ever, equaled in the annals of any country. We have appointed a special agent to close up these 'splendid financial operations,' to sue delinquent officers and recover what is possible. Most have been sanctioned

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of the people, long centered on the activity of the State, were gradually directed into other channels. The schools, the churches, the benevolent institutions, agricultural societies, labor unions, numberless organizations for the betterment of society, the protection of the unfortunate and the innocent, began to receive systematic attention and support.

The influx of settlers and especially of workmen on the canal had seriously demoralized society. This was not noticed, or perhaps the vicious element did not assert itself, so long as times were flush. But with the pinching years of 1839 and 1840 many persons, thrown out of employment, were forced to the hard choice between the miseries of extreme poverty and vice. What the newspapers called a wave of crime swept over the State. A Marion county grand jury, in its report to the court, solemnly pronounced the taverns asylums of immorality and crime rather than places of rest and refreshment for travelers. The recent General Assembly had required all liquor retailers to secure a county license. The law had the effect of concentrating the drinking as well as the drunkards in the taverns. With the drinkers came their parasites, the gamblers and the prostitutes. The report of the grand jury awakened the capital like a fire alarm.[15] Seven days after the report was made public, the citizens met in mass meeting. The censure of the grand jury was discussed, and it was decided that it was not wide of the truth. Immediate action was demanded. Under the law the voters had a right, by majority remonstrance, to keep

by law. We have also discharged that whole horde of blood suckers, the boards of commissioners and engineers. In the actions of that most unfortunate and designing conclave of men, the people will discern in bold relief the workings of that aristocratic policy which had its paternity in Alexander Hamilton and the elder Adams." John W. Davis in "Democratic Address to the Voters" at the close of the session of General Assembly of 1842. Published in *Western Sun*, March 5.

[15] The report is given in the *Indiana Journal*, May 29, 1841.

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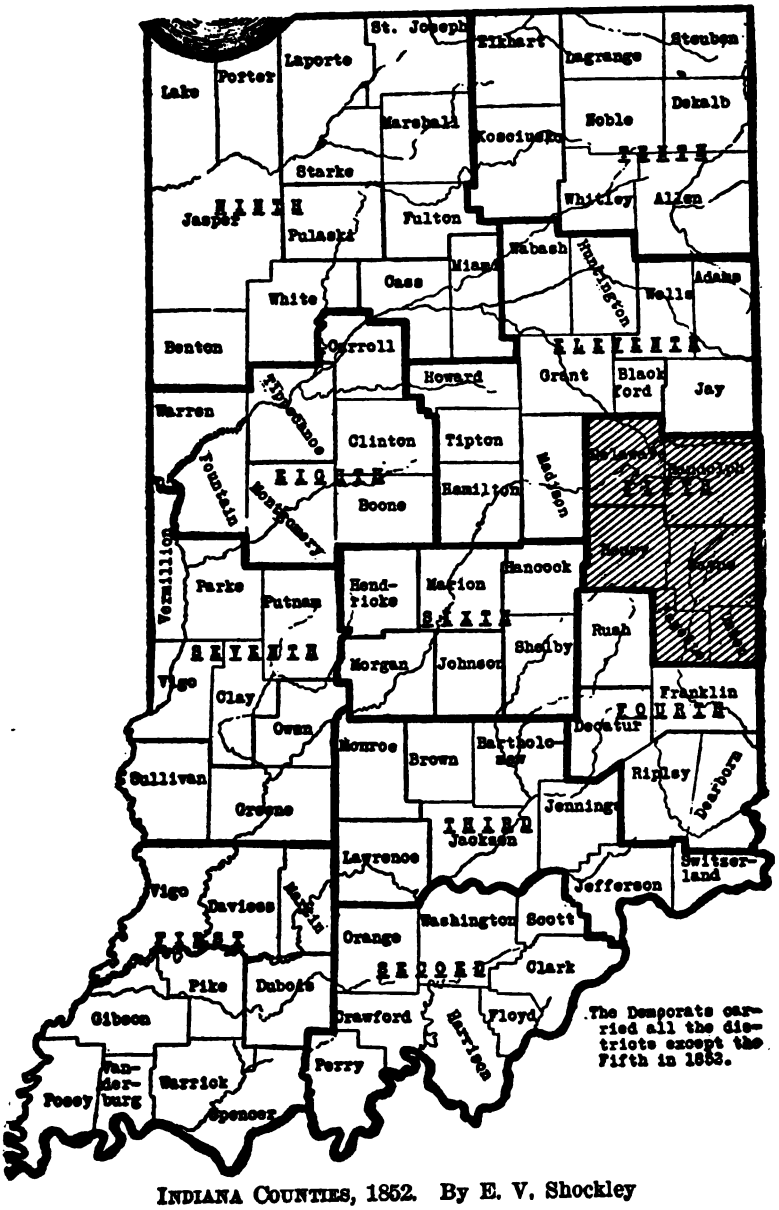


INDIANA COUNTIES, 1852. By E. V. Shockley

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the county commissioners from issuing a liquor license. A remonstrance was drawn up and quickly signed by 224 of the 364 eligible voters of the town. In less than three hours the whole work had been accomplished, barring saloons from the town for three years.[16]

## § 93 Campaign of 1844

The election of 1840 closed the period of personal politics in Indiana.[17] Men of all parties had united to elect Harrison. Among his supporters there was little cohesion except what was furnished by the personality of the President. How helpless the Whigs were is shown by their condition after the death of their leader. Under the lead of Clay a bill for a new United States Bank was prepared and rushed through Congress. In due time it reached President Tyler, who promptly attached his veto.

The breach produced by the quarrel between Clay and President Tyler extended to Indiana. The officers who enjoyed the presidential patronage maintained a formal allegiance to the administration. The great majority of the voters, together with the party organization, followed Clay. They denounced the President for what they chose to call his betrayal of the party.

The Democratic Party profited indirectly by the demoralization of the Whigs, though many of the disaffected went over to that party. The struggle of 1840 eliminated Van Buren, who had come to be the chief liability of the Democratic Party in the West. He had all the weaknesses of Jackson without any of Jackson's strength. Neither party had any leader at the time, who, like Jackson or Harrison, towered head and shoul-

[16] *Indiana Journal*, June 18, 1841. This meeting was held June 5. It was presided over by Samuel Merrill, president of the State Bank.

[17] Adam Leonard, "The Period of Personal Politics in Indiana." Mss.

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ders above the multitude. The old issues of the Whig Party, the tariff, internal improvements and the bank, the championing of which had given Clay his hold on the party, had lost their appeal. The bank had become an impossibility under Tyler. Thousands of Indiana Whigs were interested in their own State Bank, whose prosperity would be endangered by a new United States Bank. The internal improvement issue had turned to ashes in the mouths of the Whigs; and the American tariff had come to be regarded with suspicion by the farming class.

The period from 1841 to 1844 in Indiana was one of political realignment. Not only was there a change in the political management of the parties, but the old issues were discarded. The secret of the sweeping success of the Democrats in Indiana in the election of 1844 is due to the fact that that party first freed itself from the dead issues of the past, and placed itself in harmony with the advanced thought of the times. The Whigs tried to win the campaign on the same old issues, with the same old machinery, and with the same candidates which they had employed since 1824. They seemed incapable of profiting either by the thought or the experience of the previous fifteen years.

Since the beginning of the rivalry between the Whig and the Jacksonian Parties, there had been two opposing commercial institutions in the State. The banks and the land offices controlled the money of the State. The Democrats had always had control of the land offices, and the Whigs had always controlled the banks. The General Assembly of 1841 appointed Nathan B. Palmer to make a thorough investigation of the condition of the bank.[18] In 1843 the General Assembly, still on the trail of the bank, took the management of it out of Whig hands and gave it to Judge James Morrison, a Democrat. As an offset to this ad-

[18] *Laws of Indiana*, 1841, ch. 170.

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vantage the Democrats lost control of the land offices from 1841 to 1845. It is to be observed, however, that both the bank and the land offices were rapidly losing their political influence.

The opening battle of the new era in Indiana politics was the election of the United States senator to succeed O. H. Smith, whose term expired in 1843. The two parties were almost evenly matched in the General Assembly, so evenly that one or two votes would determine the contest. On the first ballot, O. H. Smith, the Whig candidate, received 72 votes; Tilghman A. Howard, the Democratic candidate, 74; Edward Hannegan, an independent Democratic candidate, 3; Joseph G. Marshall, a Whig, 1. On the second ballot Smith received 75 votes, Howard 74. Daniel Kelso, a Whig senator from Switzerland county, voted for Hannegan. On the sixth ballot the Democrats dropped Howard and supported Hannegan, who then received 76 votes and was elected.[19] Kelso was openly charged with selling his vote.[20] The Whigs by public resolution denounced him. It was the last opportunity of the Whig Party to elect a United States senator in Indiana. The bitterness was not confined to the Whigs, however. Howard and his friends never forgave some of the Democratic leaders for their part in the contest, though it is difficult to see how they could have elected him.

The Democrats swept the State in the election of 1843. James Whitcomb succeeded Samuel Bigger in the governor's office. He was the first governor elected by the Democrats in Indiana. Eight out of the ten

[19] *Senate Journal*, 1842, 349-355.

[20] Indianapolis *Journal*, Jan. 25 and Feb. 1, 1843. These numbers contain articles on this remarkable election, for which all members later apologized. The 73 Democratic members made a statement in the *Sentinel* Feb. 7, 1843, over their own signatures, that Governor Whitcomb did not help defeat Howard. David Hoover, of Wayne county, classed himself as a Democrat, but Kelso, of Switzerland, did not. Cf. *Sentinel*, Jan. 31 and Feb. 7.

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congressmen were elected on the Democratic ticket. In 1841 the Whigs had elected six out of the seven congressmen. This reversal was said to be due partly to a Democratic gerrymander by the General Assembly of 1842.[21] In the State legislature the Senate in 1843 stood 26 to 24, the house 55 to 45 in favor of the Democrats. The Whig junto at Indianapolis was driven from power after a continuous administration of eighteen years. The Methodist and Presbyterian churches deserted the Whigs, especially after it became apparent that Clay was to be the candidate in 1844.[22]

As soon as Harrison was dead, Clay and his followers began squaring away for the race in 1844. A barbecue in Clay's honor was prepared at Indianapolis, October 5, 1842. Delegations from all parts of the State visited the capital to hear their leader, and to take counsel together concerning the approaching contest.[23] It was determined to conduct the campaign along the old lines. Van Buren was the only Democratic candidate above the horizon at that time. Had he been the candidate in 1844, the plan of the Whigs might have been carried to success, but as it turned out their course was fatal.

Such men as Robert Dale Owen, Joseph A. Wright, Andrew Kennedy, James Whitcomb and John W. Davis, preaching the new Democracy, were more than a match for the old Whigs. They pleaded for human rights, individual liberty, private initiative, that it was more the duty of the State to care for the unfortunate, the feeble, educate the children, and foster individual development, than to concern itself entirely with aiding bankers, manufacturers and transportation companies.[24]

[21] *Laws of Indiana*, 1842, p. 38; *Daily Sentinel*, Feb. 10, 1843.
[22] *Western Sun*, Sept. 2, 1843.
[23] Indianapolis *Journal*, Sept. 23, 1842.
[24] The following sentiment by Senator William Allen, of Ohio, made the rounds of the Democratic press in Indiana, in 1843-4.

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Even the hitherto impregnable fortress of a high protective tariff was assaulted by the enthusiastic young Democrats. James Whitcomb, then a candidate for governor on the Democratic ticket, formerly a supporter of Clay, showed by the logic of statistics that workmen in the factories were receiving $500 per year, while farm hands received only $213. There were ten farm hands in Indiana to one factory hand. The farm products were not protected, but when the farm products were made into manufactured goods, they were highly protected. The wheat and corn which the farmer sold were free, but the plow which he bought was protected. The best markets for the Indiana farmers were among the planters of the South. These same planters were being ruined by the high tariff. It was the first time the protection policy had been challenged in Indiana, and it created considerable alarm in the Whig camp.[25]

The Whigs met in State convention at Indianapolis, January 16, 1844, for the purpose of inaugurating the campaign. There was no apparent lack of enthusiasm. An exceptionally strong electoral ticket, headed by Henry S. Lane and Joseph G. Marshall, was nominated. A central committee of twenty-six members was chosen. A novelty was instituted in the form of a board of sixty advocates, whose business it was to stump the State. This was the beginning of what

It is a fair sample of the eloquence of the young Democratic speakers of 1844; "Democracy is a sentiment not to be appalled, corrupted nor compromised. It knows no baseness, cowers at no danger, oppresses no weakness. Fearless, generous, humane, it rebukes the arrogant, cherishes honor, and sympathises with the humble. It asks nothing it will not concede. It concedes nothing it does not demand. Destructive only to despotism, it is the only preserver of liberty, labor and prosperity. It is the sentiment of freedom, equal rights, and equal obligations." *Western Sun*, July 1, 1843.

[25] *State Journal*, April 11, May 12, May 19, May 23, May 28, 1843.

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later came to be known as the speaker's bureau.[26] The convention also appointed sixty delegates, five from each of the twelve judicial districts, to the National Convention.[27] The Whigs met in the hall of the House of Representatives. In their enthusiasm, while cheering the speakers, many of the members stood on the tops of the desks, leaving the imprint of their hob-nailed shoes on the furniture. The Indianapolis *Sentinel* on this account referred to the convention as a "hob-nailed" mob. The Whigs accepted the title of "Hob-nails" without demur.[28]

Whig campaign papers were established in almost every county, backed financially by the Whig County Clubs. The Central Committee planned nineteen mass meetings in the different parts of the State, each to be the occasion of a barbecue and at least three addresses.[29] Innumerable speakings, pole raisings, and rallies served to increase the general interest and excitement.

In the matter of substantial argument the Whigs were weak. By agreement Clay and Van Buren had eliminated the Texas question. Tyler had tried in vain to build a party around that issue. When Tyler failed his followers, to the great dismay of Clay, rallied

[26] Logansport *Telegraph*, Feb. 10, 1844; Indianapolis *Whig Rifle*, Mar. 14, 1844; Indianapolis *Journal*, May 25, 1844.

[27] *Indiana State Journal*, Mar. 23, 1844.

[28] *Indiana State Journal*, April 13, 1844.

[29] *Indiana State Journal*, Aug. 24, 1844. The times and dates were as follows: Evansville, Sept. 14; Princeton, Sept. 18; Washington, Sept. 21; Corydon, Sept. 25; Charlestown, Sept. 28; Bedford, Oct. 19; Madison, Oct. 2; Napoleon, Oct. 5; Cambridge City, Oct. 12; Shelbyville, Oct. 9; Indianapolis, Oct. 22; Andersontown, Oct. 15; Rockville, Oct. 2; Lafayette, Oct. 5; Logansport, Oct. 8; Goshen, Oct. 16; Fort Wayne, Oct. 12; Laporte, Oct. 19; Terre Haute, Oct. 28. Henry S. Lane, R. W. Thompson, Hugh O'Neal, H. P. Biddle, Samuel C. Sample, John D. Defrees, Samuel Bigger, David Wallace, Albert F. White, O. H. Smith, Samuel Parker, Joseph G. Marshall and George G. Dunn were the principal speakers.

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around Polk and beat Van Buren in the convention. The Whigs of Indiana denounced the scheme to annex Texas as a venture uncalled for by the people; entirely southern in its origin and support; unconstitutional; an unwarranted aggression upon a weak neighbor; assumption of a vast debt for the direct benefit of a few Americans who held Texan bonds; in brief, as a policy that had no other purpose or justification than the spread of slavery.[30]

Besides the tariff and bank, the Whigs hoped to secure wide support among Jackson Democrats on their proposition to distribute the proceeds of the public lands. This had once been looked on with favor by Jackson and Benton.[31] In the present condition of the State treasury it was thought that it would appeal with great strength to Indiana voters. The Democrats opposed the whole policy by which the national government would either asume any part of the State debts or distribute the proceeds of the public land sales. James Whitcomb said: "The effects which would result from the distribution would be deleterious to the best interests of the laboring classes. It is nothing better than a direct scheme of bribery."[32]

A variation of the distribution policy was known as "the William Cost Johnson plan" from the name of its author. By it the United States would issue national stock (currency) to the amount of $200,000,000, which would be distributed to the Western States in proportion to the public lands in each and would be received by the United States in payment for the lands. Under

[30] *Indiana State Journal*, June 29, 1844. "We say this is a question that rises above all party. It means union or disunion; the free North will never submit to it; the free West will not submit to such a tax merely to spread slavery. Our free laborers are in favor of a tariff. The admission of Texas is a step toward the abondonment of our tariff system."—Editorial.

[31] Jackson's message, 1829, quoted in the *Journal* April 6, 1844.

[32] *Indiana State Journal*, May 4, 1844.

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this plan Indiana would receive $8,519,823, which, it was urged, would go a long way on the State debt of $12,751,000.[33]

The Democrats of Indiana were not backward about beginning the campaign in Indiana. As early as July 4, 1843, Senator Lewis Cass visited the State, presumably to deliver the oration at Fort Wayne on completion of the Wabash and Erie canal, but really to arouse the Democrats for the approaching struggle.[34]

The Democratic State convention met at Indianapolis on the anniversary of the victory of New Orleans, January 8, for the purpose of organization. An electoral ticket was nominated.[35] The general conduct of the campaign was similar to that of the Whigs. There were, however, no joint debates. As indicated above, the party speakers did not usually discuss the same issues.

On the tariff, internal improvement, and bank questions, Polk had acted quite as often with the Whigs as with the Democrats. Governor Whitcomb, who discussed the tariff oftener than any other Democrat, did not oppose the policy so much as he opposed giving its benefit to the manufacturing interests alone. Senator Hannegan, by far the most eloquent speaker in the State at the time, aroused enthusiasm among the young voters by his presentation of the Texas and Oregon questions. Each party had, without success, made an

[33] *Indiana State Journal*, April 6, 1844; also April 13, 1844.

[34] His entire speech is given in the Indianapolis *Sentinel*, July 25, 1843.

[35] Logansport *Telegraph*, Jan. 20, 1844. This ticket was as follows: Tilghman A. Howard, James G. Reed, Dr. Wm. A. Bowles, Dr. Elijah Newman, J. M. Johnson, Samuel E. Perkins, W. W. Wick, Paris C. Dunning, Henry W. Ellsworth, Charles W. Cathcart and Lucian P. Ferry. To these should be added Governor Whitcomb, Lieutenant Governor Jesse Bright, Senator Hannegan, J. W. Davis, T. J. Henly, R. D. Owen and a few others to make up the list of Democratic orators.

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effort in Congress to get appropriations for the National Road and the Wabash and Erie Canal.[36]

The Free Soil vote worried both parties. The followers of Clay made every possible concession without avail. A Free Soil paper, the *Indiana Freeman*, was established at the capital and a spirited campaign waged. In the last issue of the *Indiana State Journal* before the election, the Whig chairman, O. H. Smith, published a two-column appeal to the Free Soilers to support Clay. He published a letter, purporting to have been by Birney, the Free Soil candidate, which stated that Birney was a Democrat and had entered the race at the suggestion of the Democratic leader in order to hold the anti-slavery vote from Clay. Birney promptly pronounced the letter, known in history as the "Garland" letter, a "forgery."[37]

Both parties made bids for the emigrant vote. A German paper, the *Republican*, was started at Cincinnati by the Whigs. Thousands of copies were distributed free to Indiana Germans. A German Democratic association was organized in Indianapolis. To the disgust of both parties, the Germans refused to get excited, and went about their business much as if there were no contest going on.[38] Corresponding attempts were made to influence the Irish voters.[39]

The results of the elections were unfavorable to the Whigs. The August elections returned an equal number of each party to the State Senate, but a ma-

[36] For a statement of the principles of the Democratic Party see Vincennes *Western Sun*, Nov. 2, 1844. The leading Democratic paper was the *State Sentinel*, edited by G. A. and J. P. Chapman. On the Cumberland Road and Wabash and Erie Canal, see Senator Albert S. White, in *Indiana State Journal*, May 7 and May 25, and John W. Davis in the *Journal* April 27.

[37] *Indiana State Journal*, Nov. 2, 1844.

[38] *Indiana State Journal*, April 13 and Aug. 24, 1844.

[39] *Whig Rifle*, July 8, 1844.

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jority of ten Whigs to the House.[40] The presidential elections in November gave the Whigs 67,867 votes, the Democrats 70,181, and the Free Soilers 2,106, a Democratic plurality of 2,314 and an absolute majority of 208.[41]

## § 94 Political Demoralization

When the General Assembly convened December 2, 1844, a combination of Whigs and Democrats, on the ninth ballot, elected Alexander C. Stevenson, a Whig of Putnam county, speaker over the veteran Whig politician, Milton Stapp.[42]

The election of a United States senator to succeed Albert S. White of Lafayette was the principal political duty which fell upon the Assembly of 1844. Early in the session there began to appear indications that the Senate would refuse to go into joint session for the purpose. The Whigs paid no attention to the rumors until a four-column editorial in the last *Sentinel* of the year advocated indefinite postponement of the election. The *Sentinel* urged in favor of the movement that the Whigs had so gerrymandered the State in 1840 that the Democrats did not get a fair proportion of the representatives. As proof of the fact they pointed out that they had elected all State officers and eight of the ten congressmen in 1843 and had carried the State for Polk in 1844. In spite of this they had lost the General Assembly.[43] The Whigs regarded the whole proceed-

[40] *Indiana State Journal*, Nov. 9, 1844, gives a full list of members, with political affiliations.

[41] *Indiana State Journal*, Nov. 30, 1844. The vote is given by counties. There is great difficulty in classifying the members politically. When the General Assembly tried to elect a United States senator later it was found that the House favored a Whig, and the Senate was a tie.

[42] *Indiana State Journal*, Dec. 7, 1844.

[43] *Indiana State Journal*, Jan. 1, 1845; the *Indiana State Journal*, Jan. 29, 1845, contains a speech on the subject by John D. Defrees, delivered in the Senate Jan. 6. The speaker goes into the political history of the last four Assemblies.

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ings as a bluff until January 9, 1845, when the Senate, by a strict party vote, 25 to 25, Lieutenant Governor Bright giving the casting vote, decided not to go into an election at all. The Whigs ascribed the action of the Senate to the ambition of Governor Whitcomb to succeed Senator White. The whole subject reflects little lustre on the political morality of either party. The Whigs had threatened such a bolt two years before, when Hannegan was elected. A Democratic Assembly had recently enacted a law making it the duty to elect a senator at the session immediately preceding the expiration of the senatorial term.

The August election of 1845 confirmed the Democrats in their prediction that the Assembly would be Democratic. Of the newly elected State senators ten were Whigs and seven Democrats, leaving that body a tie, while in the House there was a clear Democratic majority of ten.[44] The Whigs succeeded in electing only two congressmen, Caleb B. Smith in the Fourth District, and E. W. McGaughey in the Seventh, the latter defeating Joseph A. Wright by 151 votes. There was little at issue in any of the contests of the year.

The Whig Party was rapidly waning in strength. There seemed to be a clique of ex-officeholders, high up in the councils of the party, who were determined to rule the party or ruin it. When they failed to nominate their man in convention they brought out an independent candidate, thus insuring Democratic success.[45] The Democratic Party likewise was not without its internal dissentions, largely of the same nature. There was the Hunker-Barnburner division; the Bright-Whitcomb jealousy; and the Wright-Hannegan feud. The first of the divisions was between the conservative wing, represented by Chapman and the *Sentinel,*

[44] *Indiana State Journal,* Aug. 27, 1845.

[45] See a series of articles in the *Indiana State Journal,* Oct. 8, 15, 29, 1845.

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and the progressive wing, represented by John W. Davis, S. F. Covington of the Madison *Courier*, and Morrison, formerly of the *Indiana Democrat*. The second division, between Whitcomb and Bright, was the first indication of the slavery question in Indiana Democracy. Bright was a pro-slavery slave owner, while Whitcomb was a Free Soiler. The last mentioned dissention was largely a private quarrel due to personal political ambitions.

### § 95 The Free Soilers in Indiana, 1846-1850

The year 1846 found the Democrats and Whigs engaged in a gubernatorial struggle, with James Whitcomb a candidate for reelection on the Democratic ticket and Joseph G. Marshall of Madison heading the Whig ticket. The Whig convention had met at Indianapolis, January 9, 1846, and nominated Marshall and Godlove S. Orth on a platform referring rather vaguely to the payment of the State debt, so that the reputation of the State might be preserved, and to the control of all of Oregon, which justly belonged to the United States.[46] The Democrats met, as usual, on January 8, and nominated Whitcomb and Paris C. Dunning of Bloomington, on a platform of many specific planks, of which "no banks," "no internal improvements," "no State debts," "an ad valorem tariff," "no State loans," "payment of honest debts," "hard money," "no special bank charters," "no connection between state and church," were a few.[47]

The campaign was waged on personalities, though, in the history of the State, it would be difficult to point out a campaign in which two cleaner men contended for the office of governor. Whitcomb was attacked most severely for his conduct with reference to his ap-

[46] *Indiana State Journal*, Jan. 10, 1846.

[47] Madison *Courier*, Jan. 17, 1846. Resolutions of the Democratic Editorial Association.

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pointments to the supreme bench, while Marshall was most effectively criticized for his connection with the internal improvement policy.[48] Orth withdrew from the race May 4, and the Whig Central Committee substituted Alexander C. Stevenson of Putnam county in his place. Besides the personalities, the "Butler Bill" was widely discussed. Neither party was able to raise any great amount of enthusiasm. Whitcomb was successful over Marshall by 4,037 votes; the Free Soilers under Stevens received 2,278 votes, almost entirely, it seems, at the expense of the Whigs.[49]

The congressional elections of 1847 form a prelude to the presidential campaign of 1848. The Mexican War had absorbed practically all of the political energy of the people since the spring of 1846. The Whigs at once attacked the Polk administration for its conduct of the war. Especially had the President laid himself open to hostile criticism by appointing Democrats to the higher positions in the military service and for attempting to secure votes against the Wilmot Proviso by a skillful use of his appointive power.[50] As a result of their searching criticism the administration was soon thrown on the defensive.

In State politics the Whigs had made a fairly creditable record during the last four years, while the Democratic organization had suffered from the fights over the "Butler Bills," the senatorial elections, the appointments of supreme judges, and lastly over the Wilmot Proviso struggle in Congress.[51]

Many of the Indiana congressmen were in political trouble with their constituencies. As a result of the

[48] For a good statement of the attack on Whitcomb see *Indiana State Journal*, July 1, 1846, and March 18, 1846. For a statement of the charges against Marshall see *Journal*, May 13, 1846; see also *Journal*, April 22 and April 29.

[49] *Indiana State Journal*, Aug. 26, 1846.

[50] *Indiana State Journal*, Mar. 24, June 9, 1846.

[51] Platform of the Fifth District, *Indiana State Journal*, June 23, 1847.

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Mexican War the national treasury was empty; so that appropriations for the improvement of the western rivers, for the continuation of the Cumberland Road, for the harbor at Michigan City could not be made. Several appropriation bills for these improvements had been passed by Congress in 1845, but had met the veto of the President. The congressional candidates in Indiana, especially in the Ninth District, had argued to their constituents that President Polk would not veto such appropriations voted by Democrats. The facts had not borne out their prophecy.[52] In the First and Eighth Districts the respective Democratic candidates, Robert Dale Owen and John Petit, were said to be infidels, and ruthlessly persecuted by their Whig opponents. Owen was a man of the highest type who gave no occasion for attack, but Petit took pleasure in opposing the Protestant preachers. For instance, he annually introduced resolutions in Congress to dispense with the chaplain. In the Sixth District there was a three-cornered fight in the Democratic convention. Dr. D. M. Dobson of Owen county, George W. Carr of Lawrence, and John W. Davis of Parke engaged in a life and death political struggle. Dr. Davis, the only one who could have been elected, withdrew after the third convention had failed to make a nomination. Dr. Dobson was nominated at Bloomfield, July 8. The long fight disgusted the voters and left the party without the organization to make a successful contest. In the Seventh District the bitter feud between Senator Hannegan and Joseph A. Wright deprived the latter of the united support of the Democrats, so that he was defeated.

The results of the election were a disappointment to both parties. The combined vote of the Whigs in all the districts was 67,723, of the Democrats 67,216. Thus, although the Whigs carried the State by a ma-

[52] *Indiana State Journal*, May 26, 1847.

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jority of 507, they elected only four of the ten congressmen. Had the Whig majority in the Fourth District, where Caleb B. Smith defeated Charles Test by a majority of 1,368, been properly distributed, it would have elected five more Whig congressmen. On the other hand, George G. Dunn and R. W. Thompson were elected on the Whig tickets in the Sixth and Seventh Districts, respectively, by majorities of 292 and 178. The election was very close, with the Whigs enjoying a moral victory.[53]

The Liberty Party does not seem to have made an active canvass. Meetings were held in the districts and the voters aligned themselves with that candidate who gave most promise of carrying out their principles. Their platform opposed admitting any more slave States, the acquisition of any more slave territory, and the further prosecution of the war with Mexico. On these questions they demanded the views of the candidates and cast their votes accordingly.[54]

The opening of the campaign of 1848 found both parties in Indiana eager as usual for the contest, but doubtful as to candidates. President Polk had been disqualified by his pro-slavery policy for the race in any of the Northern States. The hostile feeling aroused by the Wilmot Proviso would not be quieted. The course of events thoroughly aroused the anti-slavery Democrats in the North. Without their support it was impossible to win in Indiana. Of the six Democratic congressmen then representing the State not one had received a majority as high as 500. It was felt by all of them that the pro-slavery program of the Polk administration was jeopardizing their political lives. On the other hand, it was felt just as strongly that it was impossible to carry a Southern State on a platform

[53] *Indiana State Journal*, June 29, July 7, Sept. 10, 1847.

[54] *Indiana State Journal*, June 23, 1847. A Whig platform, Ninth District, is given in the *Journal*, May 26, 1847.

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endorsing the Wilmot Proviso. The defeat of the administration would throw all the national patronage in the State into the hands of the Whigs, thus endangering all the federal officeholders in the State. It was not the first nor the last time that the elective and appointive federal officeholders of the State found themselves at loggerheads. It is hardly necessary to point out that the appointive officeholders were pro-slavery and the elective anti-slavery, at least in policy. The Democratic press, so far as it was not subsidized by public printing and postoffice appointments, was generally favorable toward the anti-slavery policy.

The Whigs were not responsible for any part of the administration policy in securing new territory for slavery. So long, therefore, as they merely opposed the pro-slavery propaganda of Polk, they held the moral sympathy of the majority of the voters of Indiana. On the other hand, as soon as they faced the problem of a national campaign with its national platform and national candidates, they found themselves in the same predicament as the Democrats. Indiana Whigs were called upon to support a platform and a candidate that could also carry such States as Kentucky and Louisiana. A Whig President could not be elected without the support of many Southern States.

There was only one party with a logical program and that was the Liberty Party, then coming to be known as the Free Soil Party. It opposed the further spread of slavery and the further acquisition of slave territory. But having no reasonable hope of electing any of its candidates, it had no strong appeal to the mass of Indiana voters. Under these circumstances the contest took on all the fascination of a game of skill.

The Whigs of Wayne county met on Christmas day, 1847, and condemned by resolution the annexation of Texas and the war with Mexico, but praised the sol-

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diers who fought the war. They endorsed Taylor for the presidency.[55] These resolutions might do very well for Indiana, but it was plain they would not serve as a platform south of the Ohio. Furthermore there was a slight contradiction apparent between the candidate and the platform. However, it fairly represents the contradictory nature of the campaign in the State.

The farther-sighted Whig leaders recognized that the Free Soilers held the balance of power in the State, and that few of them would ever vote for a slaveholder. Judge McLean of Cincinnati seemed on that account the most promising candidate. All agreed that he was not the choice of the Whigs of the State, and could not get the vote of the State in the national convention. This prediction was fairly well carried out. In the national convention McLean failed to receive a vote from Indiana. On the first ballot Scott received 9, Clay 2, Taylor 1. On the fourth and last Scott received 4, Clay 1 and Taylor 7 of the votes of the Indiana delegates. An electoral ticket had already been selected and a central committee of fifteen members, one from each congressional district and five from the Fifth.[56]

The Democrats met as usual at Indianapolis, January 8, and laid their plans for the campaign. There were only twenty-one counties represented. Little enthusiasm was manifested. The two parties seemed much alike in that regard. Lewis Cass was their favorite for the presidency.[57]

The Free Soilers were unable to support either of the old parties and therefore organized for a separate campaign. Their State convention was held at Indianapolis, July 26. After the usual work had been at-

[55] *Tri-weekly Journal*, Jan. 10, 1847.

[56] *Tri-weekly State Journal*, April 26, May 3, June 16 and Aug. 2, 1848.

[57] *Tri-weekly Journal*, Jan. 10, 1848.

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tended to, they drew up a set of resolutions declaring that there was no difference between the old parties on the slavery question; that they would stand by the constitution, but would oppose the spread of slavery; that they would stand by the platform of the Buffalo convention and would support Van Buren; that the Free Soil platform should be a test in supporting State candidates. Ovid Butler and Rawson Vaile of Wayne county and John B. Seamans of Lafayette were the active members of the State committee.[58]

The conduct of the campaign was not different from that of 1840 and 1844. Cass clubs and Rough and Ready clubs were organized in all parts of the State. Barbecues and joint discussions were common. The Whigs made a feature of a celebration at Fort Harrison, September 5, the thirty-sixth anniversary of Taylor's brilliant feat of arms there.[59] Little interest or enthusiasm could be aroused. Taylor was not popular on account of his severe criticism of the Second Regiment at Buena Vista. Cass was not popular on account of his pro-slavery platform.[60] Each party made frantic appeals to the Free Soilers—the Whigs, to quit their party and join the Whig; the Democrats, to stand by Van Buren to the last. The Whigs pointed out to them that it was the defection to Birney that elected Polk. That now every vote for Van Buren helped to fasten slavery in the territory; that Van Buren himself was the original "dough face" and had

[58] *Tri-weekly Journal*, Aug. 4, 1848.

[59] *Tri-weekly Journal*, Sept. 15, 1848.

[60] "Democrats who have never lifted a finger for the party or its principles and whose integrity is doubtful, and who owe all their superabundant riches to truckling between the parties, are expecting a rain of soup and are holding their dishes high." Editorial in the *State Sentinel*, quoted by *Journal*, Sept. 29. On the other hand Editor Defrees of the *Journal* wrote editorially Aug. 4: "Next Monday is election day and we fear the Whigs are not prepared for it. While our opponents are active and jubilant, you are all asleep."

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no principles of his own.[61] The Free Soilers stood to their guns in spite of all appeals and the State vote went to Cass by a plurality of 4,538, Van Buren receiving 8,100 votes.[62] Of the 11,402 votes cast above the number in 1844, the Free Soilers had gained 6,000. The fruits of the victory, however, went to the defeated Whigs.

The Democrats controlled the General Assembly. A spirited contest at once began for Hannegan's seat in the United States Senate. Governor Whitcomb, Robert Dale Owen, Senator Hannegan and E. M. Chamberlain were the Democratic aspirants. Each was required by the Democratic members to answer the following questions: Has Congress the constitutional power to exclude slavery from the territories so long as they remain a territory? And if such power exists are you in favor of so excluding slavery? These remind one of the propositions which Lincoln, ten years later, put to Judge Douglas, and which the latter feared to answer. All the candidates answered in the affirmative. They were then asked if they would abide by instructions of the General Assembly, and all assented. They were finally asked if they would go into caucus and abide by the result. Again all answered affirmatively. On the fourth caucus ballot, Whitcomb received 49 votes, Owen 12, Chamberlain 6, Hannegan 10. There were eighty-two of the eighty-seven Democratic members present.[63]

## § 96 The Last Struggles of the Whig Party

From 1835 to 1852 there was one continuous political campaign in Indiana. Candidates, platforms and politicians came and went, but the contest raged without intermission. The election of members to the Gen-

[61] *Tri-weekly Journal*, Aug. 30, 1848.
[62] *Daily Journal*, Dec. 4, Dec. 19, 1848.
[63] *Daily Journal*, Dec. 6, Dec. 15, Dec. 20, 1848.

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eral Assembly took place in August, 1848, the presidential election followed in November; the election of a United States senator came before the General Assembly in December; in January the parties held their State conventions preparatory to electing a governor in August; during April and May congressional conventions were held in the districts to select candidates for the congressional election in August; during May and June candidates for the General Assembly were selected. The active campaign began about June 1, though the gubernatorial candidates frequently took the field as early as May 1.[64]

The Whig State convention met in Indianapolis, January 3. The usual formalities of a convention were carried out. One of the rules provided that, in voting, each congressional district should cast three votes as determined by all the voters present from that district. A platform was reported by Thomas Dowling of Terre Haute.[65] Elisha Embree of Princeton, who had defeated Robert Dale Owen for Congress in 1847 in the First District, was nominated for governor, and Thomas S. Stanfield for lieutenant governor.

The Democratic convention met at Indianapolis, January 8. There were three candidates for governor —Joseph A. Wright of Parke county, James H. Lane of Lawrenceburg and E. M. Chamberlain of Goshen. An agreement was reached among the supporters of the two first-named candidates by which Wright was nominated for governor and Lane for lieutenant governor.[66]

As soon as Judge Embree, who was then in Washington, heard of his nomination, he at once wrote John

[64] See itinerary of J. A. Wright, Madison *Courier*, May 2, June 2, 1849. It might be added that two State-wide referendums, one on a school question and one on calling a constitutional convention, were before the voters at this time.

[65] *Daily Journal*, Jan. 5, 1849.

[66] *Daily Journal*, Jan. 10, 1849.

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D. Defrees, State chairman, declining, stating as his reason that he preferred to serve in Congress, and that he had promised his friends in the First District to be their candidate again. The State chairman immediately called a meeting of the State Central Committee, by whom a new convention was ordered. It met May 3, and nominated John A. Matson of Brookville for governor.[67]

The Free Soilers, under the name of the "Free Democracy," met at Indianapolis January 20. A strong effort was made to have the convention endorse Judge Embree, but without success. The failure of this, perhaps, determined the latter to withdraw from the Whig ticket. The Free Soilers nominated James H. Cravens of Ripley county to head their ticket, with John W. Wright of Cass county as his lieutenant.[68] They decided to combine on local tickets with that party which would give them most consideration. In some counties they had run second in 1848, while in many they held the balance of power. They hoped by a skillful use of their votes to secure several seats in the General Assembly. In general, they demanded the application of the Wilmot Proviso in organizing new territory. They opposed admitting any more slave States, and they insisted that Congress free itself of guilt by abolishing slavery wherever it had power, especially in the District of Columbia.[69] The weakness in their campaign was that they were contesting for a State office on a strictly national platform. The same criticism applies with almost equal force to the other parties.

The issue of the struggle turned almost entirely on slavery. The Democrats had supported Cass, who, in his Nicholson letter, had favored spreading slavery as

[67] *Daily Journal*, Mar. 12, April 2, May 4, May 28, 1849.
[68] *Daily Journal*, Jan. 20 and 31, 1849.
[69] *Daily Journal*, June 8, June 11, 1849.

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much as possible in order to mitigate its evils. Wright dodged the slavery question as far as he could, usually advocating the non-interference doctrine. On State issues, such as popular education, calling a constitutional convention, providing for biennial assemblies, he felt safer. Matson stood squarely by the Wilmot Proviso. He favored a constitutional convention, and especially advocated the popular election of judges and postmasters. In general, the Free Soilers fused with the Democrats. In the Fourth District, a Free Soil candidate, George W. Julian, aided by Democratic votes, was elected to Congress. In the election, the "Van Burenites" supported Wright, leaving the Whig candidate with his normal Whig vote.[70] The feature of the campaign was the strenuous canvass made by Joseph A. Wright. He made over 100 speeches in eighty-one counties, visiting the remotest parts of the State. The average length of each address was two hours.

The decisive defeat of the Whigs in 1849 left little life in the party. With only one congressman out of ten, with no senator, with no control in the State government, the politcal outlook was indeed gloomy for the party in Indiana. It was unable to take any aggressive steps on any question. The constitutional convention and education engrossed public attention in the State from 1850 till the close of the convention in 1851. By championing both these measures the Democrats were able to strengthen their political hold on the State. In 1850 they elected a safe majority of the assemblymen; in 1851 they elected two-thirds of the assemblymen, and a like proportion of delegates to the constitutional convention. In the latter year, however, the Whigs succeeded in electing two congressmen, Samuel W. Parker in the Fourth, and Samuel Brenton in the

[70] The results of the election were: Wright, 76,897; Matson, 66,854; Cravens, 2,978. The Whigs lost all the congressmen but one, E. M. McGaughey, a Whig, defeating Grafton Cookerly in the Seventh. *Tri-weekly Journal*, Aug. 17, Aug. 24, Aug. 29, 1849.

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Tenth District. The combined Democratic majority in the ten districts, however, was 9,469.[71]

Success to the Democrats was attended with grave danger to the party. The assistance and co-operation of the Free Soilers had been courted ever since 1844. The latter came to feel that they had contributed essentially to the success of the party, and they therefore began boldly to demand a hearing in its councils. The smouldering coals of Free Soilism began to blaze up smartly. There was only need of a little gust of passion to start an uncontrollable fire. The gust was not to come till 1854, but in the meantime it required all the political acumen and forbearance in the party to keep the flame down.

The politicians and perhaps a majority of the rank and file of the old parties welcomed the compromise measures of 1850. The slavery agitation had reached the pitch where it was causing uneasiness to thoughtful men. So willingly did the leaders abandon the question that there appeared to the Abolitionists to be an agreement among them to eliminate it.

The election of 1852 was the first under the new constitution. For the third time in the State history a gubernatorial and presidential campaign had fallen on the same year.[72] Never before had there been so many candidates in the field at once.

The Democratic State convention met in Masonic Hall, Indianapolis, February 24, 1852. The party was in good spirits, but there was no excess of enthusiasm. Governor Wright had made many enemies in his own party and many friends in the Whig party by fearlessly opposing the free banks and the liquor interests. No one appeared to contest the nomination with him. For lieutenant governor, Ashbel P. Willard, an eloquent

[71] *Indiana State Journal*, Aug. 30, 1851.

[72] Monroe and Jennings were elected in 1816, but the presidential electors were chosen in the legislature.

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young lawyer of New Albany, was chosen. Besides these there were now ten more State officials to be elected on the State ticket. After candidates for these had been selected, the convention endorsed the compromise measures of the recent Congress. This was not done without serious protest, voiced by such papers as the Lafayette *Courier*, the Indianapolis *Statesman*, the Goshen *Democrat*, and others of the Free Soil persuasion. The convention emphasized sharply the cleavage between the two wings of the party. The northern part of the State, where Free Soilism was strong, was not represented on the ticket.

The Whig State convention assembled at Indianapolis, February 26, 1852. As usual there was plenty of speechmaking, but not very much real enthusiasm. There was no avowed candidate, and Nicholas McCarty, a prominent merchant of Indianapolis, was placed at the head of the ticket. William Williams of Warsaw took second place. After filling up the rest of the ticket, principally with men from the northern part of the State, a featureless platform was adopted. In its general attitude the party stood for about the same policy as the Democratic. As popular campaigners the Whigs were hopelessly outclassed. Had the Whigs nominated George G. Dunn, R. W. Thompson, or some man of that class, they might have won. On the hustings Joseph A. Wright has had few equals in the State.

The Free Soilers held their State convention at Indianapolis, May 17. Each township in the State was requested to send a delegate. The party was composed of Abolitionists, Wilmot Proviso Democrats, Van Burenites, and Anti-Fugitive-Slave-Law Whigs. A. L. Robinson of Vanderburg county and J. P. Milliken of Dearborn were the candidates. The new party was bitterly opposed by both old parties, the Demo-

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crats having changed their attitude toward it decidedly since 1848.

The national candidates added no zest to the campaign in the State. Scott failed to elicit any enthusiasm, while Pierce, like Polk in 1844, was an unknown person. The leading Whig papers of Indiana had in a forlorn way supported Scott for the last year, but not in the way they had formerly supported Clay and Harrison.

The State campaign lacked all the spectacular elements of 1840, and the earnestness of 1832 or 1844. It was entirely machine made. The Free Soilers were not allowed a hearing, and there was no issue between the other parties sufficient to arouse any passion. The usual number of campaign speeches, rallies, and barbecues were held. The State election came off October 12. As the results trickled in slowly it became manifest that the Whig Party had met disaster. Only one congressman out of eleven, Samuel Parker of the Fifth, had been elected. Wright had defeated McCarty by 18,935 majority, while the third party had polled only 3,303 votes. The returns from the presidential polls were equally discouraging to the Whigs. Pierce had received 95,299 votes, Scott 80,901 and Hale, on the Free Soil ticket, 6,934. The Whigs carried twenty-one counties. They were almost careless of the results and received the reports calmly. They had supported the party, not through belief in its platform or its candidates, but rather through a spirit of opposition to the Democratic Party. The Democrats were not elated by their success. The bitter dissentions which had been hushed with difficulty during the campaign at once broke out.

The campaign was the last in which either the Whig or Free Soil Party entered actively. The Whig Party went to its grave with very few mourners, and they professional. The Free Soilers joined with the libe-

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rated Whigs and disaffected Democrats to form a new party. The old order was dead, the new order had begun. Like the morning sunshine after a night of storm the State appeared after the campaign of 1852. With a new constitution, with new party affiliations unshackled by professional politicians, with new institutions, and renewed courage, her citizens looked to the future full of hope and assurance.[73]

[73] The facts of this campaign have been taken from the Indianapolis *Journal* and *Sentinel*, the Madison *Courier* and the Logansport *Pharos*.

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